

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

May 22, 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 22nd day of May, 2012, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 21 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Spaulding; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 21, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 21 were placed on the consent docket by unanimous vote.

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Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL PUBLIC FORUM MINUTES OF MARCH 15, 2012
CITY COUNCIL STUDY SESSION MINUTES OF APRIL 17, 2012
CITY COUNCIL PUBLIC FORUM MINUTES OF APRIL 17, 2012
CITY COUNCIL FINANCE COMMITTEE MINUTES OF APRIL 25, 2012
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE
MINUTES OF APRIL 25, 2012
CITY COUNCIL STUDY SESSION MINUTES OF MAY 1, 2012
JOINT OVERSIGHT COMMITTEE/NORMAN ELECTION COMMISSION MINUTES OF
MAY 2, 2012
CITY COUNCIL MINUTES OF MAY 8, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 8, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 8, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 8, 2012
CITY COUNCIL STUDY SESSION MINUTES OF MAY 15, 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 Quinn;

Item 4, continued:

Items submitted for the record

1. Text File No. GID-1112-88 dated May 22, 2012, by Brenda Hall, City Clerk
2. City Council Public Forum minutes of March 15, 2012
3. City Council Study Session minutes of April 17, 2012
4. City Council Public Forum minutes of April 17, 2012
5. City Council Finance Committee minutes of April 25, 2012
6. City Council Community Planning and Transportation Committee minutes of April 25, 2012
7. City Council Study Session minutes of May 1, 2012
8. Joint Oversight Committee/Norman Election Commission minutes of May 2, 2012
9. City Council minutes of May 8, 2012
10. Norman Utilities Authority minutes of May 8, 2012
11. Norman Municipal Authority minutes of May 8, 2012
12. Norman Tax Increment Finance Authority minutes of May 8, 2012
13. City Council Study Session minutes of May 15, 2012

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

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

NAYES: None

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

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Item 5, being:

ORDINANCE NO. O-1112-31 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A RECREATIONAL CAMP ON PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, SO AS AND PROVIDING FOR THE SEVERABILITY THEREOF. (4606 EAST ROCK CREEK ROAD)

Councilmember Kovach moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. O-1112-31 dated February 8, 2012, from Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1112-31
3. Plat of survey
4. Staff Report dated April 12, 2012, recommending approval
5. Letter dated February 6, 2012, from Sean Paul Rieger, Attorney at Law – Architect, to City of Norman Planning Department
6. Rock Creek Youth Camp description
7. Pertinent excerpts from Planning Commission minutes of April 12, 2012

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

TERM: 05-22-12 TO 02-13-14: LEE KRUMHOLZ, 832 SOUTH LAHOMA AVENUE
 TERM: 05-22-12 TO 02-13-13: STEVEN VASILOFF, 1200 BEVERLY HILLS STREET

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. TWO

TERM: 05-22-12 TO 04-10-15: JANESE COX, 2720 CIMARRON DRIVE
 TERM: 04-10-12 TO 04-10-15: GAIL POOLE, 705 TIFFIN AVENUE
 TERM: 04-10-12 TO 04-10-15: JOE SIANO, 131 SOUTH FLOOD AVENUE

LIBRARY BOARD

TERM: 05-22-12 TO 05-01-15: TOM COOPER, 1316 CHERRY LAUREL DRIVE
 TERM: 05-22-12 TO 05-01-15: BRENT SYKES, 3209 RIVERWALK DRIVE
 TERM: 05-22-12 TO 05-01-15: LINDA FORD, 3514 SHADOW STREET

NORMAN REGIONAL HOSPITAL AUTHORITY

TERM: 05-22-12 TO 10-31-14: ELIZABETH GUNN, 1007 LINCOLN GREEN

TREE BOARD

TERM: 05-14-12 TO 05-14-15: DON MENZIE, 4202 BRIARCREST DRIVE
 TERM: 05-14-12 TO 05-14-15: SONJA PULVINO, 2720 POPLAR LANE
 TERM: 05-22-12 TO 05-14-15: SUSAN GRISSO, 607 MORNINGSIDE DRIVE

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

Items submitted for the record

1. Text File AP-1112-21 dated May 14, 2012

and the question being upon confirming the appointments, a vote was taken with the following result:

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

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

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF APRIL 30, 2012, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1112-36 dated May 7, 2012, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report of April 30, 2012

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

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

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

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

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 2012, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1112-37 dated May 7, 2012, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of April, 2012

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

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

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

NAYES: None

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

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Item 9, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1112-9 IN LOT 1, BLOCK 2, BROCE INDUSTRIAL PARK, SECTION 3 (3405 AND 3213 BART CONNOR DRIVE) AND ACCEPTANCE OF EASEMENT NO. E-1112-50.

Councilmember Kovach moved that Consent to Encroachment No. EN-1112-9 be approved, Easement No. E-1112-50 be accepted, and the filing of the consent to encroachment and the easement with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. EN-1112-9 dated May 8, 2012, by Leah Messner, Assistant City Attorney
2. Consent to Encroachment No. EN-1112-9
3. Easement No. E-1112-50 with Exhibit "A", location map and legal description
4. Memorandum dated January 31, 2012, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
5. Letter dated January 25, 2012, from Richard Marcus, Manager, Western Skies Real Estate Investment and Development, to Ken Danner, City of Norman, with attached surveys
6. Memorandum dated February 28, 2012, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated February 29, 2012, from Ken Danner, Subdivision Development Manager, to Leah Messner, Assistant City Attorney
8. Email dated February 6, 2012, from Terri L. Hayes, AT&T, to Drew Norlin, Assistant Development Coordinator
9. Letter dated February 9, 2012, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Services, to Ken Danner, Development Coordinator
10. Email dated February 13, 2012, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner
11. Letter dated February 27, 2012, from Jodie Finney, Right-of-Way, Cox Communications, to Ken Danner and Drew Norlin
12. Letter of No Objection dated February 16, 2012, from Shannon Davis, Oklahoma Natural Gas Company, to Mr. Norlin or Mr. Danner

Item 9, continued:

and the question being upon approving Consent to Encroachment No. EN-1112-9 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 Consent to Encroachment No. EN-1112-9 approved; Easement No. E-1112-50 was accepted and the filing of the consent to encroachment and the easement with the Cleveland County Clerk was directed.

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Item 10, being:

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

Councilmember Kovach moved that the processing of applications from qualifying agencies by the Revitalization Division for the Emergency Solutions Grant Program, the renamed and amended Emergency Shelter Grant Program, for the Homeless be approved; the submission of the City of Norman Applications for the Emergency Solutions Grant Program for the Homeless be directed to ODOC, and upon approval from ODOC, the Mayor be authorized to sign any documentation related to the grant application process contingent upon the City Attorney's approval, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1112-90 dated May 11, 2012, by Linda Price, Revitalization Manager

and the question being upon approving the processing of applications from qualifying agencies by the Revitalization Division for the Emergency Solutions Grant Program, the renamed and amended Emergency Shelter Grant Program, for the Homeless and upon the subsequent directive and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the processing of applications from qualifying agencies by the Revitalization Division for the Emergency Solutions Grant Program, the renamed and amended Emergency Shelter Grant Program, for the Homeless approved; the submission of the City of Norman Applications for the Emergency Shelter Grant Program for the Homeless was directed to ODOC and the Mayor was authorized to sign any documentation related to the grant application process contingent upon the City Attorney's approval.

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Item 11, being:

LIMITED LICENSE NO. LL-1112-14: LIMITED LICENSE TO PLACE NINE (9) "DESIGNATE NORMAN" GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

Councilmember Kovach moved that Limited License No. LL-1112-14 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from the United Way of Norman be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. LL-1112-14 dated May 14, 2012, by Wayne Stenis, Planner II
2. Letter dated May 8, 2012, from Candice Jones, Vice-President, Resource Development, United Way of Norman, to Ellen Usry
3. Application for Limited License dated May 8, 2012, from United Way of Norman for nine vinyl banners with attached list of locations
4. Limited License No. LL-1112-14

and the question being upon approving Limited License No. LL-1112-14 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from United Way of Norman and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. LL-1112-14 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from United Way of Norman approved; and the issuance thereof was authorized.

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Item 12, being:

AMENDMENT NO. FOUR TO CONTRACT NO. K-0405-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND POE AND ASSOCIATES, INC., INCREASING THE CONTRACT AMOUNT BY \$30,000 TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE EAST LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN BOULEVARD TO THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY (BNSF) RAILROAD TRACKS.

Councilmember Kovach moved that Amendment No. Four to Contract No. K-0405-131 with Poe and Associates, Inc., increasing the contract amount by \$30,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-0405-131, Amendment No. Four, dated May 9, 2012, by Scott Sturtz, Capital Projects Engineer
2. Amendment No. Four to Contract No. K-0405-131 with Attachment A1, Compensation
3. Purchase Requisition No. 0000200819 dated May 7, 2012, in the amount of \$30,000 to Poe and Associates, Inc.

Participants in discussion

1. Mr. Scott Sturtz, Capital Projects Engineer

and the question being upon approving Amendment No. Four to Contract No. K-0405-131 with Poe and Associates, Inc., increasing the contract amount by \$30,000 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. Four to Contract No. K-0405-131 with Poe and Associates, Inc., increasing the contract amount by \$30,000 approved; and the execution thereof was authorized.

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Item 13, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0910-134 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PINNACLE MAPPING TECHNOLOGIES, INC., AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) FOR AERIAL PHOTOGRAPHY AND PLANIMETRIC MAPPING.

Councilmember Kovach moved that the project be accepted and final payment in the amount of \$14,962.50 to Pinnacle Mapping Technologies, Inc., be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-0910-134, Final, dated May 2, 2012, by Joyce Green, GIS Services Manager
2. Invoice No. 25718 dated August 31, 2011, from Pinnacle Mapping Technologies, Inc., in the amount of \$59,850 subtracting payments totaling \$44,887.50 leaving a balance of \$14,962.50

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

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

NAYES: None

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$14,962.50 to Pinnacle Mapping Technologies, Inc., was directed.

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Item 14, being:

CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-149 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND WEATHERPROOFING TECHNOLOGIES, INC., (WTI) FOR THE MECHANICAL RENOVATION PROJECT AT THE NORMAN PUBLIC LIBRARY AND MUNICIPAL BUILDING B A/K/A POLICE DEPARTMENT AND MUNICIPAL COURT.

Councilmember Kovach moved that the project be accepted and final payment in the amount of \$437,500 to Weatherproofing Technologies, Inc., be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1011-149, Final, dated May 16, 2012, by Matthew Smith, Facility Maintenance Superintendent
2. Purchase Order No. 201970 dated May 25, 2011, to Weatherproofing Technologies, Inc., in the amount of \$1,750,000 subtracting payments totaling \$1,312,500 leaving a balance due of \$437,500

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

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

NAYES: None

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$437,500 to Weatherproofing Technologies, Inc., was directed.

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Item 15, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-56: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RON WALTERS CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$37,383.80 FOR THE FIREHOUSE ART CENTER IMPROVEMENTS PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved that Change Order No. One to Contract No. K-1112-56 with Ron Walters Construction Company increasing the contract amount by \$37,383.80 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$22,148.43 to Ron Walters Construction Company be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1112-56, Change Order No. One, dated April 24, 2012, by Jud Foster, Director of Parks and Recreation
2. Change Order No. One to Contract No. K-1112-56

and the question being upon approving Change Order No. One to Contract No. K-1112-56 with Ron Walters Construction Company increasing the contract amount by \$37,383.80 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-1112-56 with Ron Walters Construction Company increasing the contract amount by \$37,383.80 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$22,148.43 to Ron Walters Construction Company was directed.

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Item 16, being:

CONTRACT NO. K-1112-130: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND C.H. GUERNSEY AND COMPANY IN THE AMOUNT OF \$40,000 FOR A SIGNAGE AND WAYFINDING PLAN FOR THE CITY OF NORMAN AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1112-130 with C.H. Guernsey and Company in the amount of \$40,000 be approved, the execution thereof be authorized, and \$40,000 be appropriated from the Capital Fund Balance (050-0000-253.20-00), to Project No. TR0244, Wayfinding Project, Design (050-9688-431.62-01), which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1112-130 dated April 30, 2012, by David Riesland, Assistant Traffic Engineer
2. Contract No. K-1112-130 with Attachment A, Scope of Work; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
3. Contract No. K-1112-105

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. Angelo Lombardo, Traffic Engineer
3. Mr. Bobby Stevens, Post Office Box 6226, asked questions
4. Mr. Fred Pope, 1501 Navajo Road, made comments
5. Mr. Andrew Blunck, 1638 Cruce Street, asked questions

and the question being upon approving Contract No. K-1112-130 with C.H. Guernsey and Company in the amount of \$40,000 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

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

NAYES: None

Item 16, continued:

The Mayor declared the motion carried and Contract No K-1112-130 with C.H. Guernsey and Company in the amount of \$40,000 approved; the execution thereof was authorized and \$40,000 was appropriated from the Capital Fund Balance (050-0000-253.20-00), to Project No. TR0244, Wayfinding Project, Design (050-9688-431.62-01).

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Item 17, being:

CONTRACT NO. K-1112-131: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. STPG-114F(303)AG, STATE JOB NO. 29011(04) FOR THE FLASHING YELLOW ARROW UPGRADES AT 57 INTERSECTIONS AND ADOPTION OF RESOLUTION NO. R-1112-136.

Councilmember Kovach moved that Contract No. K-1112-131 with the Oklahoma Department of Transportation be approved, Resolution No. R-1112-136 be adopted, and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1112-131 Dated April 30, 2012, from David Riesland, Assistant Traffic Engineer
2. Contract No. K-1112-131
3. Resolution No. R-1112-136
4. Location map

Participants in discussion

1. Mr. Angelo Lombardo, Traffic Engineer

and the question being upon approving Contract No. K-1112-131 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-131 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-136 was adopted and the execution of the contract and resolution was authorized.

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Item 18, being:

RESOLUTION NO. R-1112-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$17,625 FROM THE RISK MANAGEMENT FUND REIMBURSEMENT/REFUND MISCELLANEOUS ACCOUNT TO BE USED TO REPLACE A DAMAGED FOOTING, LIGHT POLE, AND LUMINAIRE ON INTERSTATE 35 NEAR TECUMSEH ROAD.

Councilmember Kovach moved that Resolution No. R-1112-137 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1112-137 dated April 30, 2012, by David Riesland, Assistant Traffic Engineer
2. Resolution No. R-1112-137
3. Photographs of damages dated November 9, 2011
4. Official Oklahoma Traffic Collision Report No. AR01298-11 dated August 16, 2011
5. Tabulation of Quotes dated December 9, 2011, to remove and replace barrier wall and light pole on I-35 at Tecumseh on ramp to I-35
6. Quote dated November 21, 2011, from David N. Willis, President, Traffic & Lighting Systems, L.L.C., to Jim Argo, City of Norman, in the amount of \$45,000
7. Email Quote dated November 15, 2011, from Len Scantling, Executive Vice President, Midstate Traffic Control, to Brian McNabb, Traffic Control Division

Item 18, continued:

and the question being upon adopting Resolution No. R-1112-137, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1112-137 was adopted.

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Item 19, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$27,646.01 REGARDING HUGH L. CRAWFORD VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-11740K.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$27,646.01 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1112-87 dated May 1, 2012, by Jeanne Snider, Assistant City Attorney with attached payment table
2. Workers' Compensation Court Order No. WCC 2011-1174K filed April 27, 2012
3. Purchase Requisition No. 0000200575 dated May 1, 2012, in the amount of \$11,789.50 to Hugh L. Crawford and William E. Woodson
4. Purchase Requisition No. 0000200577 dated May 1, 2012, in the amount of \$532.95 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000200578 dated May 1, 2012, in the amount of \$199.86 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000200579 dated May 1, 2012, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition No. 0000200580 dated May 1, 2012, in the amount of \$125.70 to Cleveland County Court Clerk

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

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

NAYES: None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of \$27,646.01 which will constitute judgment against the City of Norman was directed.

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Item 20, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$38,432.19 REGARDING DARRYL RAY WINES VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2011-05553X.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$38,432.19 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1112-89 dated May 11, 2012, by Jeanne Snider, Assistant City Attorney with attached payment table
2. Workers' Compensation Court Order No. WCC 2011-05553X filed May 2, 2012
3. Purchase Requisition No. 0000200950 dated May 9, 2012, in the amount of \$22,206.25 to Darryl Wines and William E. Woodson
4. Purchase Requisition No. 0000200951 dated May 9, 2012, in the amount of \$742.90 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000200952 dated May 9, 2012, in the amount of \$278.59 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000200953 dated May 9, 2012, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition No. 0000200954 dated May 9, 2012, in the amount of \$125.70 to Cleveland County Court Clerk

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

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

NAYES: None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of \$38,432.19 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 21, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$58,363.12 REGARDING BILLY C. MCCAWLEY VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-13900J.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$58,363.12 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1112-91 dated May 14, 2012, by Jeanne Snider, Assistant City Attorney with attached payment table
2. Workers' Compensation Court Order No. WCC 2011-13900J filed May 8, 2012
3. Purchase Requisition No. 0000200965 dated May 9, 2012, in the amount of \$38,951.50 to Billy C. McCawley and William E. Woodson
4. Purchase Requisition No. 0000200966 dated May 9, 2012, in the amount of \$1,30.85 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000200967 dated May 9, 2012, in the amount of \$424.07 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000200968 dated May 9, 2012, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition No. 0000200969 dated May 9, 2012, in the amount of \$125.70 to Cleveland County Court Clerk

Item 21, continued:

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

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of \$58,363.12 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 22, being:

PUBLIC HEARING REGARDING THE FYE 2013 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

Councilmember Kovach moved that a public hearing be conducted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GId-1112-63 dated March 13, 2012
2. City of Norman, Oklahoma, Fiscal Year Ending 2013 Annual Budget Summary of Fund Balances
3. Norman Convention and Visitors Bureau FY 2013 Budget and Destination Management Plan, dated April 12, 2012, from Stephen Koranda, Executive Director, NCVB, to Steve Lewis, City Manager, and City of Norman City Council with Appendix A, Big XII Conference and Other Compatible Communities and City of Norman Benchmark Communities and Appendix B, Hospitality Personality Program
4. Norman Convention and Visitors Bureau Sales Department 2012 Action Plan Summary
5. Media Buy Calendar

and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance
2. Mr. Steven Tyler Holman, 1030 South College Avenue, made comments
3. Ms. Jeanette Coker, 620 East Main Street, made comments
4. Mr. Bobby Stevens, Post Office Box 6226, made comments

Thereupon, Councilmember Kovach moved that the public hearing be closed, which motion was duly seconded by Councilmember Dillingham; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the public hearing was closed.

Item 22, continued:

Thereupon, Councilmember Dillingham moved that an agenda item be scheduled on June 12, 2012, to adopt the FYE 2013 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, which motion was duly seconded by Councilmember Kovach;

Participants in discussion

1. Mr. Anthony Francisco, Finance Director
2. Mr. Jeff Bryant, City Attorney
3. Mr. Steve Lewis, City Manager

and the question being upon an agenda item being scheduled on June 12, 2012, to adopt the FYE 2013 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, 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 an agenda item will be scheduled on June 12, 2012, to adopt the FYE 2013 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work.

* * * * *

Item 23, being:

CONSIDERATION OF AN AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW A SEASONAL SNOW CONE STAND FOR HAROLD NAEGELI TO BE LOCATED AT 10808 EAST ALAMEDA STREET.

Councilmember Griffith moved that the site plan amendment for 10808 East Alameda Street be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-111269 dated March 20, 2012, from Doug Koscinski, Current Planning Manager
2. Location map
3. Site plan
4. Plat of property
5. Staff Report dated April 12, 2012, recommending approval
6. Letter of permission dated March 12, 2012, from Ike Lalani, Denver Pantry, Inc.
7. Pertinent excerpts from Planning Commission minutes of March 9, 2006
8. Photographs of location and snowcone stand
9. Pertinent excerpts from Planning Commission minutes of April 12, 2012

Participants in discussion

1. Mr. Harold Naegeli, 13701 S.E. 149th Street, Oklahoma City

and the question being upon approving the site plan amendment for 10808 East Alameda Street, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the site plan amendment for 10808 East Alameda Street was approved.

* * * * *

Item 24, being:

CONTRACT NO. K-1112-124: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS IN THE AMOUNT OF \$1,546,600 TO PROVIDE DESIGN SERVICES FOR THE PHASE II WATER TREATMENT PLANT IMPROVEMENT PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-133 TRANSFERRING FUNDS FOR THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that Contract No. K-1112-124 with Carollo Engineers in the amount of \$1,546,600 be approved, the execution thereof be authorized, and Resolution No. R-1112-133 transferring funds be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-124 dated April 11, 2012, by Chris Mattingly, Utilities Superintendent with attached table of budget transfer account numbers
2. Contract No. K-1112-124 with Task Order No. One, Purpose; Exhibit A to Task Order No. One, Final Scope of Services; Attachment A, Anticipated Pilot Study Equipment; Attachment B, Preliminary Maintenance Barn Layout; Attachment C, Estimated Drawing List (excluding Ozone); Exhibit B, Estimated Fee for Design Related Services
3. Purchase Requisition No. 0000201313 dated May 17, 2012, in the amount of \$1,546,600 to Carollo Engineers

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving Contract No. K-1112-124 with Carollo Engineers in the amount of \$1,546,600 and upon the subsequent authorization and adoption, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Contract No.K-1112-124 with Carollo Engineers in the amount of \$1,546,600 approved; the execution thereof was authorized and Resolution No. R-1112-133 transferring funds was adopted.

* * * * *

Item 25, being:

ORDINANCE NO. O-1112-25: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

Ordinance No. O-1112-25 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 8, 2012, Councilmember Quinn moved that Ordinance No. O-1112-25 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-25 dated March 30, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-25 with Exhibit A, site plan
3. Location map
4. Staff report dated April 12, 2012, recommending approval
5. Letter dated April 2, 2012, from Karen Canavan, Executive Director, Norman Housing Authority, to Mr. Doug Kosciński, Planning Manager
6. Pertinent excerpts from Planning Commission minutes of April 12, 2012

Item 25, continued:

Participants in discussion

1. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant
2. Ms. Jeanette Coker, 620 East Main Street, asked questions
3. Mr. Stephen Tyler Holman, 1030 South College Avenue, made comments
4. Ms. Kalen Kattestad, 1328 Glen Oaks Court, protestant
5. Mr. Andrew Blunck, 1638 Cruce Street, protestant
6. Mr. Harold Heiple, 218 East Eufaula Street, attorney representing the property owner
7. Mr. Jim Stanley, 3922 Pine Tree Circle, protestant
8. Ms. Brielle King, 426 South Santa Fe Street, protestant
9. Ms. Soley Thrastardotter, 401 Wadsack Drive, protestant
10. Ms. Krysten Marshall, 2102 Park Place, protestant
11. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Ordinance No. O-1112-25 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: Councilmembers Gallagher and Kovach

The Mayor declared the motion carried and Ordinance No. O-1112-25 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1112-25 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1112-25 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: Councilmembers Gallagher and Kovach

The Mayor declared the motion carried and Ordinance No. O-1112-25 was adopted upon Final Reading as a whole.

* * * * *

Item 26, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR S & S FAMILY PROPERTIES ADDITION AND A VARIANCE IN THE SPACING OF THE DRIVE APPROACHES SERVING THE SUPERMARKET AND FUELING STATION FOR 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

Councilmember Quinn moved that the preliminary plat for S & S Family Properties Addition and a variance in the spacing of the drive approaches serving the supermarket and fueling station for 36th Avenue N.W. and West Rock Creek Road be approved, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. PP-1112-11 dated March 20, 2012, by Ken Danner, Subdivision Manager with Attachment A, Traffic Table
2. Location map
3. Preliminary plat
4. Site plan
5. Staff Report dated April 12, 2012, recommending approval
6. City of Norman Development Review Form Transportation Impacts for Brookhaven No. 41 Addition dated March 29, 2012, conducted by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Letter requesting waiver of the driveway spacing requirements dated March 9, 2012, from Terence L. Haynes, P.E., SMC Consulting Engineers, P.C., to Mr. Andy Sherrer, Chairman, Planning Commission
8. Pertinent excerpts from Planning Commission minutes of April 12, 2012

Item 26, continued:

and the question being upon approving the preliminary plat for S & S Family Properties Addition and a variance in the spacing of the drive approaches serving the supermarket and fueling station for 36th Avenue N.W. and West Rock Creek Road, a vote was taken with the following result:

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

NAYES: Councilmembers Gallagher and Kovach

The Mayor declared the motion carried and the preliminary plat for S & S Family Properties Addition and a variance in the spacing of the drive approaches serving the supermarket and fueling station for 36th Avenue N.W. and West Rock Creek Road was approved.

Item 27, being:

RESOLUTION NO. R-1112-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-5, SO AS TO PLACE BLOCK 3 OF STATE UNIVERSITY ADDITION, NORMAN CLEVELAND COUNTY, OKLAHOMA, IN SPECIAL PLANNING AREA 9 AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED BETWEEN BOYD STREET AND MCCULLOUGH STREET AND BETWEEN MONNETT AVENUE AND THE BNSF RAILROAD RIGHT-OF-WAY)

Councilmember Dillingham moved that Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5, be rejected and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-118 dated March 21, 2012, by Doug Koscinski, Current Planning Manager
2. Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5
3. Location map
4. Memorandum dated April 5, 2012, from Doug Koscinski, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission with Exhibit A, Applicant's Proposal Special Planning Area 9, High Density Residential Use; and Exhibit B, Draft prepared by Staff, Special Planning Area 9
5. Pertinent excerpts from Planning Commission minutes of April 12, 2012

Thereupon, Councilmember Kovach moved that Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5 be postponed until October 23, 2012, which motion was duly seconded by Councilmember Dillingham;

Participants in discussion

1. Mr. Chris Elsey, 2052 Hunting Avenue, Manhattan, Kansas, applicant

and the question being upon postponing Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5, until October 23, 2012, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5, was postponed until October 23, 2012.

MISCELLANEOUS DISCUSSION

The Rule of Three. Ms. Mary Francis, 850-C Cardinal Creek Condos, said the Rule of Three causes the normal deliberative process to be aborted. She said citizens do not have enough time to research an issue and most of the time, when an item is added by the Rule of Three, it is a controversial and complicated issue. She said she really believes there is a place for the Rule of Three and suggested that a written request by three Councilmembers be required that would be available to the public and when there had been no response or it had not been resolved after two requests, then the third request would be mandatory for Council action.

Councilmember Kovach read the Norman Code of Ordinances regarding the Rule of Three. He said there has been much discussion about the Rule of Three being used to put items on the agenda and there had been much misinformation about the Rule of Three item requesting the Norman Economic Development Authority (NEDA). He said City Council discussed NEDA in 2010 and 2011 in Council Retreats, committee meetings for at least six months, and in a study session before it was placed on the City Council Agenda. He said the process regarding how an item gets put on the agenda is virtually the same whether it is done by the Rule of Three or Staff. He agreed that complicated items need to be vetted with good discussion in committee meetings and study sessions. He said every item on the agenda has the same notice requirement of 24 hours which is set by state statute unless it is a special meeting which requires 48 hours notice. He said Council receives packets on Thursdays and the City Clerk puts the agenda items on the website either Thursday evening or Friday. He said he has suggested putting out the tentative agendas that Council receives about upcoming agenda items. He encouraged citizens to contact a City Councilmember or City Clerk to find out where to look for all of this information.

*

Tornado Warning System. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, said she came to the last City Council meeting and stated that when the tornado came into Norman on April 13th, the sirens did not alert citizens in a timely manner. She said she had asked how the sirens worked, if there was a backup plan, and had requested the information be placed on the website. She said no response was placed on the website and asked for a response.

Mr. James Fullingim, Fire Chief, said the outdoor warning system that was replaced was outdated and unreliable and did not cover the entire community and the current system does cover all of Norman. He said last Spring the Regional Outdoor Warning System Policy was approved and uses the same activation guidelines as the metropolitan area. He said those guidelines tell us to look at a credible, validated threat for our community. He said the sirens have been late twice during severe storms. He said the recent tornado developed on the edge of our City limits and moved into Norman very rapidly and although the National Weather Service would like to be able to provide warnings when the storm is farther out, it is not always possible. He said the human element is still an aspect with the outdoor warning system. He said there are three people in charge of activating the system and several activation points, one at the Police Department Emergency Communications Dispatch Center, the second at the Emergency Operations Center (EOC), and the third is a mobile activation point that can be put at any location.

Councilmember Gallagher said there was a three-minute gap between the time a tornado warning was issued alerting citizens that a tornado was entering southwest Norman and when the sirens actually sounded. He asked if the sirens sound sequentially or in sectors.

Mr. Fullingim said the sirens sound when the signal reaches the sirens, the same unit does not always go off first, and it is approximately a 30-second process from when the first one until the last one goes off. He said information was received regarding a tornado warning in Newcastle moving east at 25 miles per hour and it took a little time to validate that there was actually a tornado moving into Norman.

Councilmember Gallagher asked if the tornado was difficult to validate because it was rain-wrapped. Mr. Fullingim said the tornado was visible early but quickly became rain-wrapped and when the tornado moved through town, it could not be seen.

Councilmember Spaulding asked what the location of the tornado was when the sirens went off.

Mr. Fullingim said after looking at information from the National Weather Service after the storm, the tornado showed to be slightly east of 24th Avenue and north of Lindsey Street when activation occurred.

*

Miscellaneous Discussion, continued:

Zoning Issues. Ms. Jeanette Coker, 620 East Main Street, said she had been told that the Planning Commission only looks at rules and regulations to be sure that what is presented conforms to all ordinances. She said she had been told City Council sets policy and decides if the application and applicant are beneficial and appropriate for Norman. She asked who is responsible for protecting the citizens and who decides what the citizens want and need. She said she knows many neighborhoods who have protested a zoning request next to their homes and it is questionable how this is beneficial to the present residents.

Ms. Christina Kunz, 3101 Millbury Road, said she was unhappy about how City Council items on the agenda this evening had been handled. She said City Council stopped discussion on Items 25 and 26 regarding the Wal-Mart rezoning and 27 regarding high-density apartments and although Item 27 was postponed for further discussion, Items 25 and 26, which were so important to those who lived closed to the property was not.

Councilmember Dillingham said routine zoning items will not have a study session or committee meeting beforehand to allow discussion. She said this does not mean that there is not plenty of information available about that item especially on the website. She said when the public needs information about a specific item, there will not always be public meetings because they are not always appropriate. She said it is really important for those who have an interest to read the agendas each week and contact City Councilmembers and City staff for information.

Mayor Rosenthal said it was important to note that there is a fundamental difference between Item 27 and Items 25 and 26. She said Council is operating with an absence of policy with respect to High Density Development and it had been inappropriate for Council to proceed with Item 27. She said the postponement of this item was to make sure that Council moves ahead and develops appropriate policies which will take some time. She said there will be plenty of time for public input.

*

Memorial Day Weekend. Mr. Bobby Stevens, Post Office Box 6226, said Memorial Day weekend is coming up and he wanted everyone to remember the sacrifices that have been made to allow citizens to voice their opinions.

Councilmember Dillingham asked everyone to enjoy the Memorial Day weekend. She asked citizens to remember those who made the ultimate sacrifice to allow citizens to enjoy their First Amendment rights.

Mayor Rosenthal wished everyone a happy and safe Memorial Day with their families.

*

Signs on Highway 9. Mr. Bobby Stevens, Post Office Box 6226, said he was glad the "No Outlet" sign had been installed on 108th Avenue S.E. and Highway 9 that is visible by both east and west bound traffic and the signs he had reported that had been knocked down have recently been replaced.

*

Cedar Lane. Mr. Bobby Stevens, Post Office Box 6226, said there the work done at the intersection of Cedar Lane and 36th Avenue S.E. was a great improvement and he thanked Staff.

*

Legal Issues. Mr. Bobby Stevens, Post Office Box 6226, thanked the Legal Department for looking into some Code Enforcement issues.

*

Thanks to City Manager. Mr. Bobby Stevens, Post Office Box 6226, thanked Mr. Steve Lewis, City Manager, for helping resolve some issues. He apologized to Mr. Lewis for accusing him of saying something that he did not say.

*

Community Planning and Transportation Meeting. Ms. Toni Henning, 514 Shawnee Street, asked when and where the meeting would be held tomorrow evening regarding High Density Development. Mayor Rosenthal said it would start at 5:30 p.m. and be held in the Study Session room.

*

Miscellaneous Discussion, continued:

Wal-Mart. Ms. Krysten Marshall, 2102 Park Place, said she understood some of the reasons Council voted in favor of changing the zoning. She said shopping local is important and she votes with her pocketbook and never shops at Wal-Mart. She clarified that shopping at local establishments means shopping at locally owned stores to allow the tax dollars to stay in the community. She provided research and an impact study done on a Neighborhood Wal-Mart Market which is relevant to tonight's discussion.

Items submitted for the record

1. The Economic Impact of a Wal-Mart Store in the Skyway Neighborhood of South Seattle dated April 5, 2012, published by the Puget Sound Sage and various flyers and information about Wal-Mart

*

Citizens Academy. Ms. Ann Gallagher, 1522 East Boyd Street, thanked Mr. Keith Humphrey, Police Chief, and the entire Norman Police Department for the opportunity to participate in the Citizens' Police Academy and invited anyone from the Norman community to apply for the next academy. She said it would be wonderful to have representatives from different neighborhoods throughout Norman to participate in this process and become ambassadors who have some understanding of how the Police Department works and how to serve in community policing aspects. She said the Police Department is now taking applications and urged citizens to apply.

*

Trust Authorities. Mr. Ben Alpers, 208 Chautauqua Avenue, said the UNPTIF was discussed in City Council's meeting of May 8th. He said nearly everyone seemed to agree that it had been oversold and promises made at the time the TIF was set up were not being fulfilled. He said the vast majority of those who felt that way concluded that despite dissatisfaction with the way things had gone, things would only get worse if the City tried to hold the developer to his promises. He said had the TIF not been oversold, it probably would not have passed so overselling was not accidental and necessary to get the citizens to this point. He said he is already hearing discussion about the wonders of the Norman Economic Development Authority (NEDA) and what the NEDA might do for the City. He said he has drawn three tentative conclusions from May 8th discussion of the TIF to allow everyone to think about the NEDA which will be coming forward in the next few weeks. He said the first is the City already has substantial authority to do economic development through the TIF, the second is that economic development does not necessarily help local businesses or prevent poaching of businesses, and the third is be very careful about proponents of economic development selling it, because once you buy the pig in the poke, it can be impossible to get rid of it. The overall conclusion as citizens prepare for community discussion of the NEDA is this is not about whether or not we do economic development, it is about how we do economic development and who makes decisions about economic development. Sometime in the next few weeks, the whole community will have a chance to look at a very complicated legal document describing the NEDA. It will probably be amended, hopefully, not at the last minute, and citizens will talk about how it will be amended. He urged citizens to pay attention to the details because the details will be what matters.

*

Use of Fertilizers. Councilmember Kovach said growing season had come early this year and he is disappointed in the City's efforts to educate the public on the use and misuse of fertilizers. He said the use of fertilizers has been discussed in citizens' committees and in committees of the Chamber of Commerce. He said much information has been gathered and programs from other cities have been studied and the information needs to be provided to citizens as soon as possible. He said the City of Norman's soil is very rich in phosphorous so citizens need to purchase fertilizers with no phosphates.

Councilmember Dillingham said she got her information from the Oklahoma State University (OSU) Extension and suggested citizens look on the OSU Extension website or call them at their office located at the Cleveland County Fairgrounds.

*

Police Officers' Memorial. Councilmember Dillingham said she enjoyed the Police Officers' Memorial on Friday, May 18th.

*

God Bless Norman. Councilmember Spaulding said "God Bless Norman."

*

Miscellaneous Discussion, continued:

Recycling Center. Councilmember Griffith expressed appreciation to Ken Komiske, Director of Utilities, for being receptive to the idea of rearranging a recycling center because a littering hazard was created for a constituent during windy days. He said the problem was taken care of and he appreciates the effort.

*

Tri-City Gun Club. Councilmember Lockett thanked the Tri-City Gun Club for hosting Women on Target. She said the club provided an opportunity on Saturday, May 19th, for women to learn to shoot a number of guns and learn a lot about personal safety.

*

High School Graduations. Councilmember Quinn said Norman North High School Graduation will be Thursday, May 25th, and Norman High School Graduation will be Friday, May 26th. He said he is proud of the time the graduates spent attending school in Norman, hopes they attend the University of Oklahoma, and after they graduate he hoped they would stay and prosper in the City of Norman. He urged graduates to be careful during the weekend because sometimes with graduation comes a little too much celebration.

*

Shop Norman. Councilmember Quinn said "Shop Norman" and he did not say "Shop Local" although that is implied. He said local is also important but it is important for citizens to realize that the sales tax spent in Norman allows this City to run and is used to take care of the streets and to pay for police and fire protection.

*

House Bill No. 3263. Mr. Steve Lewis, City Manager, said he had been advised that House Bill No. 3263, which the City has been working together with the Central Oklahoma Master Conservancy District (COMCD) to get approved, is scheduled to come before the legislature in June. He said this bill will allow all the benefitting parties within the COMCD to transport out of basin water into Lake Thunderbird, which could eventually be used during emergency situations to replenish water.

*

Army Reserve Center. Mr. Steve Lewis said the City began the process of acquisition of the Joseph A. Smalley Army Reserve Center in 2005-2006 to be used for law enforcement purposes. He said the proposed deed has recently been received from the Corps of Engineers in Tulsa and is being reviewed by Staff. He said the item is scheduled to come before City Council on June 12, 2012.

*

Debris Cleanup. Mr. Steve Lewis, City Manager, said the debris cleanup efforts are complete from the tornado on April 13th. He said the debris is being stockpiled on property across from the Water Treatment Plant and the chipping and grinding operation will begin June 3rd and then the City will be looking for beneficial reuse of that material.

ADJOURNMENT

There being no further business, Councilmember Dillingham moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:

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

NAYES:

None

The Mayor declared the motion carried and the meeting was adjourned at 9:27 p.m.

ATTEST:

City Clerk

Mayor