

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

November 13, 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 13th day of November, 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 Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by students of Monroe Elementary School.

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Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF OCTOBER 10, 2012  
CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 16, 2012  
CITY COUNCIL FINANCE COMMITTEE MINUTES OF OCTOBER 17, 2012  
CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 23, 2012  
CITY COUNCIL MINUTES OF OCTOBER 23, 2012  
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 23, 2012  
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 23, 2012  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 23, 2012  
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF  
NOVEMBER 1, 2012

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-42 dated November 6, 2012, by Brenda Hall, City Clerk
2. City Council Oversight Committee minutes of October 10, 2012
3. City Council Study Session minutes of October 16, 2012
4. City Council Finance Committee minutes of October 17, 2012
5. City Council Conference minutes of October 23, 2012
6. City Council minutes of October 23, 2012
7. Norman Utilities Authority minutes of October 23, 2012
8. Norman Municipal Authority minutes of October 23, 2012
9. Norman Tax Increment Finance Authority minutes of October 23, 2012
10. City Council Business and Community Affairs Committee minutes of November 1, 2012

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

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

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

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Item 4, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM MONROE ELEMENTARY SCHOOL.

Mayor Rosenthal and Councilmember Kovach presented Citizenship Awards to students from Monroe Elementary School.

Items submitted for the record

1. Text File No. GID-1213-41 dated November 5, 2012

Participants in discussion

1. Mayor Rosenthal and Councilmember Kovach presented Citizenship Awards to students Lily Arnold, Megan Blodgett, Brody Boyd, Hallee Burress, Addison Dolphin, Addyson Hatcher, Raelee Horton, Jacie Joyce, Greta Mansell, Kane Meyer, Megan Mizell, Esperanza Osuna; Ella Pantalone, Trace Redwine, Josh Robinson, Elijah Salas, Lydia Stuart, William Stuart, Quinn Swatek, and Simon Williams
2. Ms. Lori Connery, Principal of Monroe Elementary School, said the students were selected as representatives of good citizens of Monroe Elementary School

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Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 35 excluding Items 10, 26, and 27 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 6 through Item 35 excluding Items 10, 26, and 27, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 6 through Item 35 excluding Items 10, 26, and 27 were placed on the consent docket by unanimous vote.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1213-9 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PART OF A TWENTY (20) FOOT RIGHT-OF-WAY (ALLEY) LOCATED IN BLOCK EIGHT (8) OF THE ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-9 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. O-1213-9 dated August 16, 2012, by Jane Hudson, Principle Planner
2. Ordinance No. O-1213-9
3. Location map
4. Amended Application for Closure of Public Way by Ordinance received September 6, 2012, from Carol Price Dillingham, OBA No. 11078, Assistant District Attorney with Exhibit "A-1," location map
5. Aerial map
6. Staff report dated October 11, 2012, recommending approval
7. Protest area map receiving 21.3% filed protest within the notification area as of September 12, 2012
8. Letter of protest filed September 10, 2012, from Marty Coltrane and Steven Stice, Members, ACS Enterprises, L.L.C., to Norman Planning Commission
9. Letter of protest filed September 10, 2012, from Mary Smith to Norman Planning Commission
10. Letter of protest filed September 10, 2012, from Douglas J. Smith to Norman Planning Commission

Item 6, continued:

Items submitted for the record, continued:

11. Letter of protest filed September 10, 2012, from Fred J. Shaeffer and Tony Shirk, Shaeffer Law Building and Big Brother Bail Bonds
12. Pertinent excerpts from Planning Commission minutes of September 13, 2012, and October 11, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1213-9 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1213-9 was Introduced, read, and adopted upon First Reading by title.

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Councilmember Jungman asked that he be allowed to abstain from voting on Item 7 due to a conflict of interest and Councilmember Williams asked that he be allowed to abstain from Item 20 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Jungman be allowed to abstain from voting on Item 7 due to a conflict of interest and Councilmember Williams be allowed to abstain from Item 20 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Jungman to abstain from voting on Item 7 due to a conflict of interest and allowing Councilmember Williams to abstain from Item 20 due to a conflict of interest, a vote was taken with the following result:

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

NAYES: None

ABSTAIN: Councilmembers Jungman and Williams

The Mayor declared the motion carried and Councilmember Jungman was allowed to abstain from voting on Item 7 due to a conflict of interest and Councilmember Williams was allowed to abstain from Item 20 due to a conflict of interest.

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Item 7, being:

ORDINANCE NO. O-1213-11 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 PLACE PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 36<sup>TH</sup> AVENUE N.W. AND TECUMSEH ROAD)

Councilmember Kovach moved that Ordinance No. O-1213-11 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. O-1213-11 dated August 16, 2012, by Jane Hudson, Principle Planner
2. Ordinance No. O-1213-11
3. Location map
4. Staff Report dated October 11, 2012, recommending approval

Item 7, continued:

Items submitted for the record, continued:

5. The Santa Rosa Addition Planned Unit Development (PUD) Narrative dated August 13, 2012, and revised October 2, 2012, prepared by Sean Paul Rieger, The Rieger Law Group, with Exhibit A, proposed preliminary plat; Exhibit B, proposed preliminary site development plan; Exhibit C, proposed open space areas; Exhibit D, proposed tabulation of building types and units; and Exhibit E, proposed landscape plan
6. Protest area map containing 42.5% protest within notification area received November 5, 2012
7. Letter of protest filed September 7, 2012, from Yvonne and Jerry Howard to Members of Norman Planning Commission
8. Letters of protest filed September 10, 2012, from Kevin and Kelly Foster to the Planning and Community Development Department with attached location map
9. Letter of protest filed September 10, 2012, from Justin Cervi to Council and City Planning Staff
10. Letter of protest filed September 10, 2012, from Larry and Kathy Hillis to Members of the Planning Commission
11. Letter of protest filed September 10, 2012, from Vincent DiCastro to the City Planning Commission and Norman City Council
12. Letter of protest filed September 10, 2012, from Don Cervi to Council and City Planning Staff
13. Letter of protest filed September 7, 2012, from Roxanne M. Johnson to Norman Planning Commission
14. Letter of protest filed September 6, 2012, from Paul and Erica Phelps to Secretary, Norman Planning Commission
15. Letter of protest filed September 6, 2012, from Shawn Gulikers to Secretary, Norman Planning Commission
16. Letter of protest filed September 6, 2012, from Doug and Joyce Harris to Norman Planning Commission
17. Letter of protest filed September 11, 2012, from Anita Shilling to Norman Planning Commission
18. Letter of protest filed September 11, 2012, from Margaret A. Burkett to Secretary, Norman Planning Commission with attached photographs
19. Petition to Oppose Rezoning filed September 10, 2012 containing 818 signatures (duplications included)
20. Petition of protest filed October 31, 2012, containing seven signatures (duplications included)
21. Pertinent excerpts of Planning Commission minutes of September 13 and October 11, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1213-11 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Ordinance No. O-1213-11 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1213-14 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 AN OFFICE FOR PROPERTY CURRENTLY ZONED R-3, MULTI-FAMILY DWELLING DISTRICT, LOCATED AT 404 SOUTH PETERS AVENUE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-14 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Spaulding;

Item 8, continued:

Items submitted for the record

1. Text File No. O-1213-14 dated September 11, 2012, by Jane Hudson, Principle Planner
2. Ordinance No. O-1213-14
3. Location map
4. Staff Report dated October 11, 2012, recommending approval
5. Predevelopment Summary Case No. PD-12-2818 dated August 23, 2012, for Virgin Law Office located at 404 South Peters Avenue
6. Pertinent excerpts of Planning Commission minutes of October 11, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1213-14 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1213-14 was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF ORDINANCE NO. O-1213-17 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ADD PROVISIONS TO ALLOW CREMATORIUMS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-17 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. O-1213-17 dated October 1, 2012, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1213-17
3. Legislatively notated copy of Ordinance No. O-1213-17
4. Memorandum dated November 8, 2012, from Susan Connors, AICP, Director, Planning and Community Development Department, to Planning Commission members with Exhibit A, Survey on Crematoriums, and Exhibit B, State of Oklahoma Regulations for Crematoriums

and the question being upon the Introduction and adoption of Ordinance No. O-1213-17 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1213-17 was Introduced, read, and adopted upon First Reading by title.

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Item 10, being:

CONSIDERATION OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE FEE IN THE AMOUNT OF \$11,228.54 IN LIEU OF TAXES PAYMENT FOR FISCAL YEAR ENDING (FYE) 2012.

Item 10 was withdrawn at the request of Staff.

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Item 11, being:

CONSIDERATION OF THE NORMAN CONVENTION AND VISITOR'S BUREAU, INC., (NCVB) FYE 2012 ANNUAL REPORT THROUGH JUNE 30, 2012.

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

Items submitted for the record

1. Text File No. RPT-1213-18 dated October 31, 2012, by Brenda Hall, City Clerk
2. Norman Convention and Visitors Bureau, Inc., Semi-Annual Report Ending June 30, 2012

Participants in discussion

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

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

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, 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 12, being:

ACTING AS NORMAN MUNICIPAL AUTHORITY - CONSIDERATION OF ACCEPTANCE AND AWARDED OF BID NO. 1213-8 FOR THE PURCHASE OF TWO (2) 35 CUBIC YARD SELF-CONTAINED COMPACTORS IN THE AMOUNT OF \$18,425 FOR A TOTAL BID PRICE OF \$36,850 TO CUSTOM MANUFACTURING FOR THE SANITATION DIVISION.

Acting as the Norman Municipal Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$18,425 each for a total amount of \$36,850 be awarded to Custom Manufacturing as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Spaulding;

Items submitted for the record

1. Text File No. dated August 16, 2012, by Scottie Williams, Sanitation Superintendent
2. Bid tabulation dated August 2, 2012, for Two (2) 35-Cubic Yard Self-Contained Compactors

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

YEAS: Trustees Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$18,425 each for a total amount of \$36,850 was awarded to Custom Manufacturing as the lowest and best bidder meeting specifications.

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Item 13, being:

CONSIDERATION OF AWARDING OF BID NO. 1213-34, APPROVAL OF CONTRACT NO K-1213-68 WITH CENTRAL CONTRACTING SERVICES, INC., IN THE AMOUNT OF \$183,501.95; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$156,860; PERFORMANCE BOND NO. B-1213-24, STATUTORY BOND NO. B-1213-25, AND MAINTENANCE BOND NO. MB-1213-19; AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1213-42 FOR THE CONCRETE PAVEMENT MAINTENANCE PROJECT, FYE 2013 LOCATIONS, AND CONCRETE VALLEY GUTTER FYE 2012 PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$183,501.95 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-68, Change Order No. One increasing the contract amount by \$156,860, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No R-1213-42 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. K-1213-68 dated October 9, 2012, by Greg Hall, Street Superintendent
2. Bid tabulation dated October 4, 2012, for Concrete Pavement Maintenance, FYE 2013 Locations and Concrete Valley Gutters, FYE 2012 Project
3. List of project locations
4. Contract No. K-1213-68
5. Change Order No. One to Contract No. K-1213-68
6. Performance Bond No. B-1213-24
7. Statutory Bond No. B-1213-25
8. Maintenance Bond No. MB-1213-19
9. Location map
10. Resolution No. R-1213-42
11. Purchase Requisition No. 0000208250 dated October 10, 2012, in the amount of \$340,361.95 to Central Contracting Services, Inc.

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

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$183,501.95 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-68, Change Order No. One increasing the contract amount by \$156,860, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order was authorized; the filing of the bonds was directed; and Resolution No R-1213-42 was adopted.

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Item 14, being:

CONSIDERATION OF ACCEPTANCE AND AWARDING OF BID NO. 1213-42 TO ACTION SAFETY SUPPLY FOR SECTION 1 AND DIRECT TRAFFIC CONTROL, INC., FOR SECTION 2 FOR THE INSTALLATION OF PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications on Section 1 be accepted and the bid be awarded to Action Safety Supply, as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. BID-1213-42 dated October 29, 2012, by Angelo Lombardo, Traffic Engineer
2. Bid tabulation for Hot Applied Thermoplastic Pavement Markings

Item 14, continued:

and the question being upon accepting all bids meeting specifications on Section 1 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Section 1 accepted; and the bid was awarded to Action Safety Supply as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 2 be accepted and the bid be awarded to Direct Traffic Control, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. BID-1213-42 dated October 29, 2012, by Angelo Lombardo, Traffic Engineer
2. Bid tabulation for Raised Pavement Markers – Class C

and the question being upon accepting all bids meeting specifications on Section 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Section 2 accepted; and the bid was awarded to Direct Traffic Control, Inc., as the lowest and best bidder meeting specifications.

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Item 15, being:

CONSIDERATION OF ACCEPTANCE AND AWARDSING OF BID NO. 1213-45; APPROVAL OF CONTRACT NO. K-1213-89 WITH TERRELL ELECTRIC, INC., IN THE AMOUNT OF \$485,500; PERFORMANCE BOND NO. B-1213-36; STATUTORY BOND NO. B-1213-37, AND MAINTENANCE BOND NO. MB-1213-28; AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1213-70 FOR THE LIBRARY LIGHTING REPLACEMENT PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid be awarded in the base bid amount of \$371,000 plus Alternate 4 (ceiling tiles) in the amount of \$114,500 for a total amount of \$485,500 to Terrell Electric, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-89 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-1213-70 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. K-1213-89 dated November 2, 2012, by Brenda Hall, City Clerk
2. Bid tabulation dated October 18, 2012, for Library Replacement Project
3. Contract No. K-1213-89
4. Performance Bond No. B-1213-36
5. Statutory Bond No. B-1213-37
6. Maintenance Bond No. MB-1213-28
7. Resolution No. R-1213-70
8. Purchase Requisition No. 0000209440 dated November 6, 2012, in the amount of \$485,500 to Terrell Electric, Inc.

Participants in discussion

1. Ms. Brenda Hall, City Clerk

Item 15, continued:

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

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the base bid amount of \$371,000 plus Alternate 4 (ceiling tiles) in the amount of \$114,500 for a total amount of \$485,500 to Terrell Electric, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-89 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-1213-70 was adopted.

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Item 16, being:

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1213-12, A PERMANENT PARKLAND EASEMENT, DONATED BY UTC II, L.L.C., FOR THE LEGACY PARK PROJECT.

Councilmember Kovach moved that Easement No. E-1213-12 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. E-1213-12 dated November 7, 2012, by Jud Foster, Director of Parks and Recreation
2. Easement No. E-1213-12 with Exhibit A, legal description and location map

and the question being upon accepting Easement No. E-1213-12 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement No. E-1213-12 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 17, being:

CONSIDERATION OF APPROVAL OF RURAL CERTIFICATE OF SURVEY NO. COS-1213-1 FOR CLARK RANCH SUBMITTED BY DAVID CLARK WITH A VARIANCE TO THE MINIMUM ACREAGE REQUIREMENTS FOR TRACTS 1 AND 2 AND A REDUCTION OF THE MINIMUM PRIVATE ROAD STANDARDS FROM 20 FEET TO 15 FEET FOR TRACT 1 AND DIRECT THE FILING THEREOF. (GENERALLY LOCATED ONE-FOURTH MILE SOUTH OF TECUMSEH ROAD AND ONE-FOURTH MILE EAST OF 108TH AVENUE N.E.)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1213-1 for Clark Ranch and a variance to the minimum acreage requirements for Tracts 1 and 2 and a reduction of the minimum private road standards for Tract 1 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Spaulding;

Item 17, continued:

Items submitted for the record

1. Text File No. COS-1213-1 dated September 11, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1213-1
4. Staff Report dated October 11, 2012, recommending approval
5. Letter requesting variance for less than 10 acres dated September 25, 2012, from David Clark to the City of Norman
6. Letter dated October 1, 2012, from Micah E. Gustin, Licensed Professional Land Surveyor, Jividen and Company, P.L.L.C.
7. Letter requesting 15-foot private road dated October 2, 2012, from David Clark to the City of Norman
8. Pertinent excerpts from Planning Commission minutes of October 11, 2012

and the question being upon approving Norman Rural Certificate of Survey No. COS-1213-1 for Clark Ranch and a variance to the minimum acreage requirements for Tracts 1 and 2 and a reduction of the minimum private road standards for Tract 1 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-1213-1 for Clark Ranch and a variance to the minimum acreage requirements for Tracts 1 and 2 and a reduction of the minimum private road standards for Tract 1 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 18, being:

CONSIDERATION OF APPROVAL OF RURAL CERTIFICATE OF SURVEY NO. COS-1213-2 FOR MCGREGOR ESTATES SUBMITTED BY TOM MCGREGOR AND TERESA NUGENT AND A VARIANCE TO THE MINIMUM ACREAGE REQUIREMENTS FOR TRACTS 1 AND 2 AND DIRECT THE FILING THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 9 APPROXIMATELY ONE-FOURTH MILE EAST OF 84TH AVENUE S.E.)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1213-2 for McGregor Estates and a variance to the minimum acreage requirements for Tracts 1 and 2 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. COS-1213-2 dated September 11, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1213-2
4. Staff Report dated October 11, 2012, recommending approval
5. Letter requesting variance for less than 10 acres dated September 25, 2012, from Teresa Nugent and Tom McGregor, to Whom it May Concern
6. Letter from D. Harry McClintick, Registered Licensed Professional Land Surveyor, M & M Land Surveying, Inc.
7. Pertinent excerpts from Planning Commission minutes of October 11, 2012

and the question being upon approving Norman Rural Certificate of Survey No. COS-1213-2 for McGregor Estates and a variance to the minimum acreage requirements for Tracts 1 and 2 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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Item 18, continued:

The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-1213-2 for McGregor Estates and a variance to the minimum acreage requirements for Tracts 1 and 2 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 19, being:

CONSIDERATION OF APPROVAL AND FILING OF A FINAL PLAT FOR S & S FAMILY PROPERTIES ADDITION, SECTION ONE; ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN; AND AUTHORIZING THE MAYOR TO SIGN THE FINAL PLAT SUBJECT TO RECEIPT OF TRAFFIC IMPACT FEES IN THE AMOUNT OF \$7,072.54. (LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

Councilmember Kovach moved that the final plat for S & S Family Properties Addition, Section One, be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a traffic impact fee in the amount of \$7,072.54; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. FP-1213-13 dated September 14, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated October 11, 2012, recommending approval
4. Final plat
5. Site plan
6. Landscaping plan
7. Preliminary plat
8. Pertinent excerpts from Planning Commission minutes of October 11, 2012
9. Memorandum dated November 12, 2012, from Shawn O'Leary, Director of Public Works, to Honorable Mayor and Councilmembers

and the question being upon approving the final plat for S & S Family Properties Addition, Section One, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the final plat for S & S Family Properties Addition, Section One, approved; the public dedications contained within the plat were accepted; the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a traffic impact fee in the amount of \$7,072.54, and the filing of the final plat was directed.

\* \* \* \* \*

Item 20, being:

CONSIDERATION OF APPROVAL AND FILING OF A FINAL PLAT FOR HARVEST CHURCH ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND AUTHORIZING THE MAYOR TO SIGN THE FINAL PLAT SUBJECT TO RECEIPT OF TRAFFIC IMPACT FEES IN THE AMOUNT OF \$2,632.94. (LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W. APPROXIMATELY 1,600 FEET NORTH OF INDIAN HILLS ROAD)

Councilmember Kovach moved that the final plat for Harvest Church Addition be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a traffic impact fee in the amount of \$2,632.94; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Spaulding;

Item 20, continued:

Items submitted for the record

1. Text File No. FP-1213-9 dated September 11, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated October 11, 2012, recommending approval
4. Final plat
5. Site plan
6. Preliminary plat
7. Pertinent excerpts from Planning Commission minutes of October 11, 2012

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

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Williams

The Mayor declared the motion carried and the final plat for Harvest Church Addition approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a traffic impact fee in the amount of \$2,632.94, and the filing of the final plat was directed.

\* \* \* \* \*

Item 21, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0607-58: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND T-MOBILE CENTRAL, L.L.C., FOR THE LEASE OF SPACE ON THE MONOPOLE TOWER LOCATED AT 600 EAST LINDSEY STREET.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. One to Contract No. K-0607-58 with T-Mobile Central, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Spaulding;

Items submitted for the record

1. Text File No. K-0607-58, Amendment No. One, dated October 29, 2012, by Gary Lowe, Information Systems Manager
2. Amendment No. One to Contract No. K-0607-58 with Exhibit A, Construction Drawings
3. Contract No. K-0607-58 with Exhibit A, legal description and sketch of site

and the question being upon approving Amendment No. One to Contract No. K-0607-58 with T-Mobile Central, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. One to Contract No K-0607-58, with T-Mobile Central, L.L.C., approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 22, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1011-156: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$4,056.13 FOR THE PHASE 2A WATER LINE CONSTRUCTION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$15,943.38 TO THE CONTRACTOR.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. One to Contract No. K-1011-156 with Central Contracting Services, Inc., increasing the contract amount by \$4,056.13 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$15,943.38 be directed, which motion was duly seconded by Trustee Spaulding;

Items submitted for the record

1. Text File K-1011-156, Change Order No. One, dated October 30, 2012, by Jim Speck, Capital Projects Engineer
2. Change Order One to Contract No. K-1011-156
3. Location map
4. Purchase Order No. 201783 dated May 18, 2011, in the amount of \$1,181,068.04 to Central Contracting Services, Inc., adding Change Order No. One in the amount of \$4,056.13, for a revised contract amount of \$1,185,124.17

and the question being upon approving Change Order No. One to Contract No. K-1011-156 with Central Contracting Services, Inc., increasing the contract amount by \$4,056.13 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS:

Trustees Castleberry, Gallagher, Griffith,  
Jungman, Kovach, Lockett, Spaulding,  
Williams, Chairman Rosenthal

NAYES:

None

The Chairman declared the motion carried and Change Order No. One to Contract No K-1011-156 with Central Contracting Services, Inc., increasing the contract amount by \$4,056.13 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$15,943.38 was directed.

\* \* \* \* \*

Item 23, being:

CONTRACT NO. K-1213-50: A CONTRACT BY AND BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY AND GARVER ENGINEERS, L.L.C., IN THE AMOUNT OF \$185,600 TO PROVIDE CONSULTING ENGINEERING SERVICES ASSOCIATED WITH ROBINSON STREET AND I-35 WEST ALTERNATIVE ANALYSIS AND FUNCTIONAL PLAN AND A BUDGET APPROPRIATION.

Acting as the Norman Tax Increment Finance Authority, Trustee Kovach moved that Contract No K-1213-50 with Garver Engineers, L.L.C., in the amount of \$185,600 be approved, the execution thereof be authorized, and \$185,600 be appropriated from UNP Unreserved Fund Balance (057-0000-253.20-00) to Project No. UT0011, Robinson West/Crossroads, Design (057-9510-431.62-01), which motion was duly seconded by Trustee Spaulding;

Items submitted for the record

1. Text File No. K-1213-50 dated October 29, 2012, by Angelo Lombardo, Traffic Engineer, with Attachments 1 and 2, location maps
2. Exhibit A to Contract No. K-0607-45, Preliminary Budget for Traffic and Roadway Improvements
3. Contract No. K-1213-50 with Attachment A, Scope of Services; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
4. Purchase Requisition No. 0000208470 dated October 16, 2012, in the amount of \$185,600 to Garver Engineering, L.L.C.

Participants in discussion

1. Mr. Angelo Lombardo, Traffic Engineer

Item 23, continued:

and the question being upon approving Contract No. K-1213-50 with Garver Engineers, L.L.C., in the amount of \$185,600 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Trustees Castleberry, Gallagher, Griffith,  
Jungman, Kovach, Lockett, Spaulding,  
Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-1213-50 with Garver Engineers, L.L.C., in the amount of \$185,600 approved; the execution thereof was authorized and \$185,600 was appropriated from UNP Unreserved Fund Balance (057-0000-253.20-00) to Project No. UT0011, Robinson West/Crossroads, Design (057-9510-431.62-01).

\* \* \* \* \*

Item 24, being:

CONTRACT NO. K-1213-77: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA TAX COMMISSION TO ENGAGE IN SALES AND USE TAX COMPLIANCE ACTIVITIES.

Councilmember Kovach moved that Contract No. K-1213-77 with the Oklahoma Tax Commission be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. K-1213-77 dated September 6, 2012, by Suzanne Krohmer, Budget Manager
2. Contract No. K-1213-77

and the question being upon approving Contract No. K-1213-77 with the Oklahoma Tax Commission and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-77 with the Oklahoma Tax Commission approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 25, being:

CONTRACT NO. K-1213-78: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND PRA GOVERNMENT SERVICES, L.L.C., D/B/A REVENUE DISCOVER SYSTEMS (RDS) IN ORDER TO PERFORM COMPLIANCE AUDIT SERVICES.

Councilmember Kovach moved that Contract No. K-1213-78 with the RDS be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. K-1213-78 dated September 10, 2012, by Suzanne Krohmer, Budget Manager
2. Contract No. K-1213-78 with Exhibit A, Confidentiality Agreement

Item 25, continued:

and the question being upon approving Contract No. K-1213-78 with RDS and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-78 with RDS approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 26, being:

CONTRACT NO. K-1213-86: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FREESE AND NICHOLS IN THE AMOUNT OF \$278,539 FOR THE DEVELOPMENT OF A COMPREHENSIVE TRANSPORTATION PLAN FOR THE CITY OF NORMAN.

Councilmember Kovach moved that Contract No. K-1213-86 with Freese and Nichols in the amount of \$278,539 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-1213-86 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Contract No. K-1213-86 with Attachment A, Scope of Services; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities

Participants in discussion

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

Thereupon, Councilmember Gallagher moved that Contract No. K-1213-86 with Freese and Nichols in the amount of \$278,539 be postponed for two weeks, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Evan Dunn, 1014 Missouri Street, proponent
3. Ms. Joy Hampton, The Norman Transcript, 215 East Comanche Street, asked questions
4. Mr. Steve Lewis, City Manager

and the question being upon postponing Contract No. K-1213-86 with Freese and Nichols in the amount of \$278,539 for two weeks, a vote was taken with the following result:

YEAS: Councilmembers Gallagher, Kovach,  
Spaulding, and Williams

NAYES: Councilmembers Castleberry, Griffith,  
Jungman, Lockett, Mayor Rosenthal

The Mayor declared the motion failed and Contract No. K-1213-86 in the amount of \$278,539 was not postponed for two weeks.

Thereupon, Councilmember Kovach moved that Contract No. K-1213-86 with Freese and Nichols in the amount of \$278,539 be amended to substitute the original Contract No. K-1213-86 in the amount of \$300,000, which motion was duly seconded by Councilmember Jungman;

Items submitted for the record

1. Contract No. K-1213-86 in the amount of \$300,000 with Attachment A, Scope of Services; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities

Item 26, continued:

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Eddie Haas, consultant for Freese and Nichols, 1701 North Market Street, Suite 500, Dallas, Texas
3. Mr. Harold Heiple, 218 East Eufaula Street, made comments
4. Mr. Evan Dunn, 1014 Missouri Street, made comments

Thereupon Councilmember Castleberry requested that postponement of Contract No. K-1213-86 with Freese and Nichols for two weeks be reconsidered, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

Councilmember Castleberry withdrew his motion to reconsider.

and the question being upon amending Contract No. K-1213-86 with Freese and Nichols in the amount of \$278,539 to substitute the original Contract No. K-1213-86 in the amount of \$300,000, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Griffith,  
Jungman, Kovach, Lockett, Spaulding,  
Williams, Mayor Rosenthal

NAYES: Councilmember Gallagher

The Mayor declared the motion carried and Contract No. K-1213-86 with Freese and Nichols in the amount of \$278,539 was amended to substitute the original Contract No. K-1213-86 the amount of \$300,000.

and the question being upon approving Contract No. K-1213-86, as amended, with Freese and Nichols in the amount of \$300,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Griffith,  
Jungman, Kovach, Lockett, Spaulding,  
Williams, Mayor Rosenthal

NAYES: Councilmember Gallagher

The Mayor declared the motion carried and Contract No. K-1213-86, as amended, with Freese and Nichols in the amount of \$300,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 27, being:

CONTRACT NO. K-1213-118: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CARDINAL ENGINEERING, INC., IN THE AMOUNT OF \$74,430 TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN AND FEASIBILITY STUDY OF THE STATE HIGHWAY 9 MULTI-MODAL PATH - PHASE 1 PROJECT AND BUDGET TRANSFER.

Councilmember Kovach moved that Contract No. K-1213-118 with Cardinal Engineering, Inc., in the amount of \$74,430 be approved, the execution thereof be authorized, and \$600,000 be transferred from Project No. TR0073, State Highway 9 Multi-Modal Path, Construction (050-9688-431.61-01) to Project No. TR0073, State Highway 9 Multi-Modal Path, Construction (022-9688-431.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-118 dated October 30, 2012, by Mike Rayburn, Assistant Traffic Engineer
2. Contract No. K-1213-118 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
3. Location map
4. Purchase Requisition No. 0000209034 dated October 29, 2012, in the amount of \$74,430 to Cardinal Engineering, Inc.

Item 27, continued:

Participants in discussion

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

and the question being upon approving Contract No. K-1213-118 with Cardinal Engineering, Inc., in the amount of \$74,430 upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Griffith,  
Jungman, Kovach, Lockett, Williams, Mayor  
Rosenthal

NAYES: Councilmember Gallagher and Spaulding

The Mayor declared the motion carried and Contract No. K-1213-118 with Cardinal Engineering, Inc., in the amount of \$74,430 approved; the execution thereof was authorized and \$600,000 was transferred from Project No. TR0073, State Highway 9 Multi-Modal Path, Construction (050-9688-431.61-01) to Project No. TR0073, State Highway 9 Multi-Modal Path, Construction (022-9688-431.61-01).

\* \* \* \* \*

Item 28, being:

CONTRACT NO. K-1213-119: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CARDINAL ENGINEERING, INC., IN THE AMOUNT OF \$47,100 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE HIGHWAY NINE WATER LINE RELOCATION PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1213-119 with Cardinal Engineering, Inc., in the amount of \$47,100 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Spaulding;

Items submitted for the record

1. Text File No. K-1213-119 dated October 30, 2012, by Jim Speck, Capital Projects Engineer
2. Contract No. K-1213-119 with Attachment A, Time Schedule for Scope of Services Performance; Attachment B, Scope of Services; and Attachment C, Compensation
3. Purchase Requisition No. 0000209102 dated October 31, 2012, in the amount of \$47,100 to Cardinal Engineering, Inc.

and the question being upon approving Contract No. K-1213-119 with Cardinal Engineering, Inc., in the amount of \$47,100 upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS: Trustees Castleberry, Gallagher, Griffith,  
Jungman, Kovach, Lockett, Spaulding,  
Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-1213-119 with Cardinal Engineering, Inc., in the amount of \$47,100 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 29, being:

CONTRACT NO. K-1213-121: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BANK OF OKLAHOMA TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 2608 GA ZUMP DRIVE.

Councilmember Kovach moved that Contract No. K-1213-121 with Bank of Oklahoma be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

- 1. Text File No. K-1213-121 dated October 29, 2012, by Linda Price, Revitalization Manager
- 2. Contract No. K-1213-121

and the question being upon approving Contract No. K-1213-121 with Bank of Oklahoma and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-1213-121 with Bank of Oklahoma approved; and the execution thereof was authorized.

\* \* \* \* \*

Mayor Rosenthal said Item 30 is a contract with the University of Oklahoma and she wanted to disclose she is as a tenured faculty member of the University of Oklahoma. She said there is no benefit, detriment, or employment consequence regarding this item.

\* \* \* \* \*

Item 30, being:

CONTRACT NO. K-1213-123: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE UNIVERSITY OF OKLAHOMA, THE PUBLIC ARTS BOARD, AND THE NORMAN ARTS COUNCIL FOR THE DISPLAY OF ARTWORK AT LIONS PARK BY UNIVERSITY OF OKLAHOMA STUDENTS ON A ROTATING, TEMPORARY BASIS.

Councilmember Kovach moved that Contract No. K-1213-123 with the University of Oklahoma, the Public Arts Board, and the Norman Arts Council be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

- 1. Text File No. K-1213-123 dated November 7, 2012, by Jud Foster, Director of Parks and Recreation
- 2. Contract No. K-1213-123
- 3. Location map

and the question being upon approving Contract No. K-1213-123 with the University of Oklahoma, the Public Arts Board, and the Norman Arts Council and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-1213-123 with the University of Oklahoma, the Public Arts Board, and the Norman Arts Council approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 31, being:

RESOLUTION NO. R-1112-131: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE ORIGINAL TOWNSITE NEIGHBORHOOD PLAN AS AN ELEMENT OF THE CITY'S COMPREHENSIVE PLAN.

Councilmember Kovach moved that Resolution No. R-1112-131 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1112-131 dated April 17, 2012, by Susan Atkinson, Planner II
2. Resolution No. R-1112-131
3. Location map
4. Memorandum dated June 8, 2012, by Susan Owen Atkinson, Neighborhood Planner, to Planning Commission
5. Pertinent excerpts from Planning Commission minutes of June 14, 2012

Participants in discussion

1. Ms. Susan Atkinson, Neighborhood Planner
2. Mr. Evan Dunn, 1014 Missouri Street, made comments

and the question being upon adopting Resolution No. R-1112-131, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution No. R-1112-131 was adopted.

\* \* \* \* \*

Item 32, being:

RESOLUTION NO. R-1112-132: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE BISHOP CREEK NEIGHBORHOOD PLAN AS AN ELEMENT OF THE CITY'S COMPREHENSIVE PLAN.

Councilmember Kovach moved that Resolution No. R-1112-132 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1112-132 dated April 17, 2012, by Susan Atkinson, Planner II
2. Resolution No. R-1112-131
3. Location map
4. Memorandum dated May 10, 2012, by Susan Owen Atkinson, Neighborhood Planner, to Planning Commission
5. Pertinent excerpts from Planning Commission minutes of June 14, 2012

Participants in discussion

1. Ms. Susan Atkinson, Neighborhood Planner
2. Mr. Evan Dunn, 1014 Missouri Street, made comments

and the question being upon adopting Resolution No. R-1112-132, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution No. R-1112-132 was adopted.

\* \* \* \* \*

Item 33, being:

RESOLUTION NO. R-1213-51: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CHANGING THE STREET NAME IN THE VISTA SPRINGS ESTATES ADDITION FROM DOE RUN RIDGE COURT TO DOE RIDGE COURT, CITY OF NORMAN, OKLAHOMA.

Councilmember Kovach moved that Resolution No. R-1213-51 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1213-51 dated October 23, 2012, by Ken Danner, Subdivision Manager
2. Memorandum dated October 11, 2012, from Brenda Hall, City Clerk, to Shawn O'Leary, Director of Public Works
3. Petition to Change Street Name filed October 11, 2012, from Lans Rothfusz
4. Location map
5. Resolution No. R-1213-51

and the question being upon adopting Resolution No. R-1213-51, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1213-51 was adopted.

\* \* \* \* \*

Item 34, being:

RESOLUTION NO. R-1213-68: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING FEDERAL SURFACE TRANSPORTATION URBANIZED AREA FUNDS (STP/UZA) FOR THE PAVEMENT MARKING PROJECT ALONG ROADWAY SEGMENTS ON THE FEDERAL FUNCTIONALLY CLASSIFIED SYSTEM FOR 100% OF THE CONSTRUCTION COST.

Councilmember Kovach moved that Resolution No. R-1213-68 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1213-68 dated October 29, 2012, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1213-68

and the question being upon adopting Resolution No. R-1213-68, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1213-68 was adopted.

\* \* \* \* \*

Item 35, being:

RESOLUTION NO. R-1213-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING FEDERAL SURFACE TRANSPORTATION URBANIZED AREA FUNDS (STP/UZA) FOR THE MCGEE DRIVE SIDEWALK PROJECT FOR 100% OF THE CONSTRUCTION COST.

Councilmember Kovach moved that Resolution No. R-1213-69 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1213-69 dated October 29, 2012, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1213-69

and the question being upon adopting Resolution No. R-1213-69, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1213-69 was adopted.

\* \* \* \* \*

Item 36, being:

RESOLUTION NO. R-1112-129: 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-1112-6, SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

Councilmember Kovach moved that Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6, be postponed until January 8, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-129 dated April 17, 2012, by Jane Hudson, Principle Planner
2. Letter requesting postponement dated November 7, 2012, from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
3. Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6
4. Location map
5. Staff Report dated September 13, 2012, recommending approval
6. Predevelopment Summary Case No. PD-12-27 dated July 26, 2012, for Mark Risser/B3 Development Group located at 612 and 710 Asp Avenue and 421-427 Buchanan Avenue
7. Predevelopment Summary Case No. PD-12-17 dated April 26, 2012, for B3 Development Group located on the west side of Asp Avenue just south of the Duffy Street and Asp Avenue intersection
8. Predevelopment Summary Case No. PD-12-09 dated March 22, 2012, for Mark Risser located at 710 Asp Avenue
9. Pertinent excerpts from Planning Commission minutes of July 12, August 9, and September 13, 2012

Item 36, continued:

and the question being upon postponing Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6 until January 8, 2013, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6 was postponed until January 8, 2013.

\* \* \* \* \*

Item 37, being:

ADOPTON OF ORDINANCE NO. O-1112-38 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, AND REMOVE THE SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

Ordinance No. O-1112-38 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 23, 2012, Councilmember Kovach moved that Ordinance No. O-1112-38 be postponed until January 8, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Letter requesting postponement dated November 7, 2012, from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
2. Text File No. O-1112-38 dated April 17, 2012, by Jane Hudson, Principal Planner
3. Ordinance No. O-1112-38
4. Location map
5. Staff Report dated September 13, 2012, with no recommendation
6. Project Written Description dated July 9, 2012,
7. Schematic elevation
8. Second floor plan
9. Site plan
10. Sidewalk plan
11. Renderings of similar project
12. Letter dated September 19, 2012, from B.J. Hawkins, P.E., PTOE, Traffic Engineering Consultants, Inc., to Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C.,
13. Pertinent excerpts from Planning Commission minutes of August 9 and July 12, 2012
14. Memorandum dated August 9, 2012, from Susan Connors, Director, Planning and Community Development, to Norman Planning Commission
15. Pertinent excerpts from Planning Commission minutes of September 13, 2012

and the question being upon postponing Ordinance No. O-1112-38 until January 8, 2013, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-38 was postponed until January 8, 2013.

\* \* \* \* \*

Councilmember Castleberry asked that he be allowed to abstain from voting on Item 38 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Castleberry be allowed to abstain from voting on Item 38 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Castleberry to abstain from voting on Item 38 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Councilmember Castleberry was allowed to abstain from voting on Item 38 due to a conflict of interest.

\* \* \* \* \*

Item 38, being:

CONSIDERATION AND AWARDED OF THE BID FOR THE CITY OF NORMAN, OKLAHOMA, GENERAL OBLIGATION BONDS, SERIES, 2012D, IN THE AMOUNT OF \$20,050,000 TO MORGAN STANLEY AND COMPANY AT A TRUE INTEREST COST OF 2.3192% AND COMPLYING WITH THE NOTICE OF SALE AND INSTRUCTION TO BIDDERS.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid with a true interest cost of 2.3192% be awarded to Morgan Stanley as the lowest and best bidder meeting specifications; which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-43 dated November 7, 2012, by Anthony Francisco, Director of Finance
2. Notice of Bids
3. Memorandum dated November 13, 2012, from Anthony Francisco, Director of Finance, to Honorable Mayor and Councilmembers
4. Bid tabulation dated November 13, 2012, for General Obligation Bonds, Series, 2012D

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

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

YEAS:	Councilmembers Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid with a true interest cost of 2.3192% be awarded to Morgan Stanley as the lowest and best bidder meeting specifications.

\* \* \* \* \*

Item 39, being:

ORDINANCE NO. O-1213-20: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2012D, IN THE SUM OF \$20,050,000 BY THE CITY OF NORMAN, OKLAHOMA, AUTHORIZED AT AN ELECTION DULY CALLED AND HELD FOR SUCH PURPOSE; PRESCRIBING FORM OF BONDS; PROVIDING FOR REGISTRATION THEREOF; APPROVING THE FORM OF A CONTINUING DISCLOSURE CERTIFICATE; PROVIDING FOR LEVY OF AN ANNUAL TAX FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE SAME AND FIXING OTHER DETAILS OF THE ISSUE; AND DECLARING AN EMERGENCY.

Councilmember Kovach moved that Ordinance No. O-1213-20 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-1213-20 dated November 7, 2012, by Anthony Francisco, Director of Finance
2. Notice of Bids

and the question being upon the Introduction and adoption of Ordinance No. O-1213-20 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1213-20 was Introduced, read, and adopted upon First Reading by title.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-20 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-20 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1213-20 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Emergency Section No. 10 be approved, which motion was duly seconded by Councilmember Griffith; and the question being upon approving Emergency Section No. 10, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Emergency Section No. 10 was approved.

Item 39, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-20 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-20 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-20 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 40, being:

ORDINANCE NO. O-1213-8 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A UTILITY EASEMENT AND A DRAINAGE EASEMENT LOCATED IN LOT 1, BLOCK 2 OF A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III, TO THE CITY OF NORMAN, OKLAHOMA, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED APPROXIMATELY 840 FEET NORTHWEST OF 24TH AVENUE N.W. ON THE SOUTH SIDE OF CONFERENCE DRIVE)

Ordinance No. O-1213-8 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 23, 2012, Councilmember Kovach moved that Ordinance No. O-1213-8 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-8 dated August 16, 2012, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-8
3. Location map
4. Memorandum dated July 23, 2012, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Jane Hudson, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
5. Letter of request dated July 20, 2012, from Harold Heiple, Attorney-Agent, Heiple Law Offices, Inc., representing the applicant UTC II, L.L.C., with Exhibit A, legal description of utility easement to be vacated and location map; Exhibit B, legal description of new utility easement and location map; Exhibit C, legal description of drainage easement to be vacated and location map; and Exhibit D, legal description of new drainage easement and location map
6. Easement No. E-1213-10 with Exhibit B, legal description and location map
7. Easement No. E-1213-11 with Exhibit D, legal description and location map
8. Staff Report dated September 13, 2012, recommending approval
9. Pertinent excerpts from Planning Commission minutes of September 13, 2012

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula Avenue, attorney representing the applicant

and the question being upon adopting Ordinance No. O-1213-8 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-8 was adopted upon Second Reading section by section.

Item 40, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-8 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-8 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-8 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 41, being:

ORDINANCE NO. O-1213-18 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 3-501 OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH REQUIREMENTS TO KEEP AND MAINTAIN CHICKENS OR LAYING HENS IN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AND ADDING SECTIONS 3-115 AND 3-116 TO INCLUDE DEFINITIONS FOR REQUIRED STRUCTURES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1213-18 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 23, 2012, Councilmember Kovach moved that Ordinance No. O-1213-18 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-18 dated October 10, 2012, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1213-18
3. Legislatively notated copy of Ordinance No. O-1213-18
4. Pertinent excerpts from City Council Oversight Committee minutes of September 12, 2012

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Evan Dunn, 1014 Missouri Street, asked questions
3. Mr. Ed Kessler, 1510 Rosemont Drive, proponent
4. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, protestant
5. Ms. Joy Hampton, The Norman Transcript, 215 East Comanche Street, asked questions
6. Ms. Kim Frakes, 1725 Cliffside Court, proponent
7. Mr. Mark Campbell, Post Office Box 3053, proponent
8. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Ordinance No. O-1213-18 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	Councilmember Gallagher

The Mayor declared the motion carried and Ordinance No. O-1213-18 was adopted upon Second Reading section by section.

Item 41, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-18 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-18 upon Final Reading as a whole, the roll was called with the following result:

YEAS:

Veterans, continued

Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

Councilmembers Castleberry, Griffith, Thanks to

NAYES:

Councilmember Gallagher

The Mayor declared the motion carried and Ordinance No. O-1213-18 was adopted upon Final Reading as a whole.

\* \* \* \* \*

#### MISCELLANEOUS DISCUSSION

Public Comments. Mr. Evan Dunn, 1014 Missouri Street, said he respected the Chair's authority but took exception to his comments being cut short this evening.

Councilmember Spaulding said Mr. Dunn had behaved just fine and there was no problem with wanting to speak up or asking for clarification.

\*

Additional City Council Meetings. Mr. Evan Dunn, 1014 Missouri Street, said he agreed with Councilmember Gallagher about adding additional City Council Meetings when there was an extra week in the month or possibly changing the number of Council Meetings per month to four.

\*

Commuter Rail to Oklahoma City. Mr. Evan Dunn, 1014 Missouri Street, said he would be glad to volunteer as an advocate for AMTRAK commuter service from Norman to Oklahoma City.

\*

Downtown Farmers Market. Mr. Evan Dunn, 1014 Missouri Street, said a Downtown Farmers Market would be very beneficial to core Norman's businesses and Norman farmers and gardeners.

\*

Recycling Downtown. Mr. Evan Dunn, 1014 Missouri Street, said the recycling contract would be rebid in the near future and it would be in Norman's best interest to notify local companies to give them the opportunity to bid.

\*

Ordinance O-1213-18. Amending Regulations for Keeping Chickens. Mr. Ed Kessler, 1510 Rosemont Drive, said he was glad Ordinance No. O-1213-18 was adopted this evening.

Mr. Evan Dunn, 1014 Missouri Street, thanked Ms. Brenda Hall, City Clerk, for sending him information he had requested on the urban chicken ordinance.

Councilmember Castleberry asked he hoped amnesty would be granted to people who owned chickens before this ordinance was adopted.

\*

Anti-Bullying Proclamation. Mr. Ben Carter, 800 Bass Court, applauded Councilmembers who approved the Anti-Bullying Proclamation on October 23, 2012, and the Police Chief for making it a priority. He said during the meeting, a Councilmember raised issue that the proclamation was an attempt to revoke citizens' First Amendments right to free speech. He said acts of bullying within our community should be taken seriously. He said since 2010, 4.8 million children per year are either bullied or bullies themselves and statistics show that persons engaging in homicidal acts are twice as likely to have been the victims of bullying as well and students who participate in school shootings were found to have been victims of bullying. He said this was not just a homosexual issue, a race issue, a gender issue, or a poverty issue, but a community issue. He said bullying falls under the category of infringing on someone's right to life, liberty, and the pursuit of happiness. He urged the Councilmember who opposed the Anti-Bullying proclamation to rethink their position.

Miscellaneous Discussion, continued:

Anti-Bullying Proclamation, continued.

Ms. Danielle Tipton, 3923 Pine Tree Circle, said she was grateful that the Anti-Bullying Proclamation was approved by City Council. She said bullying affects children for life and in no way is freedom of speech an excuse for hate crimes against children. She said all people should have the right not to be bullied. She said it is not a matter of Free Speech but protecting the unprotected. She said bullying is not an empowering of the First Amendment but rather a violation of the absolute heart and soul of the constitution.

Councilmember Spaulding said he had been the victim of incomplete journalism and anonymous callers. He said the gay community is trying to attach his opposition speech to their ideas and way of living to hate and to bullying. He said he had made his comments in public, but those opposing his comments have made a phone call to him home and mailed a letter to his home anonymously. He encouraged whoever did it to make their comments publicly.

\*

Section 8 Housing Availability. Mr. Mark Campbell, Post Office Box 3053, said he had received a Section 8 voucher and was trying to locate an apartment that accepts Section 8 in Norman but had been unable to do so. He said it does not help when citizens come to City Council and protest apartments being built in their neighborhoods. He said he has asked the End Chronic Homelessness Committee to put an item on their agenda requesting new apartment complexes consider allowing up to 5% of applicants be Section 8 applicants. He said he is facing eviction because he complained about code violations in his previous residence and his present residence. He said he appealed to Code Enforcement and has had no response.

Councilmember Gallagher asked the City Manager if houses classified Section 8 were inspected annually. Mr. Steve Lewis, City Manager, said he believed the Housing Authority checked Section 8 Housing, but he would follow up on that. Councilmember Gallagher asked if there is some coordination of inspections between the Housing Authority and the City. Mr. Lewis said there had been several communications with Mr. Campbell regarding this issue and it would be more appropriate to follow up with a report to City Council outlining these issues.

\*

City Council Procedures. Mr. Stephen Tyler Holman, 1030 South College Avenue, said he was really pleased that the City Council meeting time did not change and that City Council decided not to require a sign-up sheet at City Council meetings.

\*

Homelessness in Norman. Mr. Stephen Tyler Holman, 1030 South College Avenue, encouraged citizens to take note that there is a growing number of people sleeping outside of Food and Shelter for Friends. He said it is starting to get colder outside and he hoped funds would be available to open up the building during cold, winter nights.

Councilmember Kovach said funding was provided last year to open Food and Shelter for Friends during cold winter nights and asked the City Manager if this had been done this year.

Mr. Steve Lewis, City Manager, said he would check on this.

\*

Thanks to Veterans. Councilmember Kovach said he attended the Veterans Parade last Sunday, November 11th and the young men and women who are serving our country or have served our country do not stop. He said Councilmembers Gallagher and Griffith and former Councilmember Stanley and several staff members were veterans. He thanked them for their previous and current service. He said it was a moving ceremony and he appreciated the Mayor's comments. He asked citizens to reflect for a moment on how blessed we are.

Miscellaneous Discussion, continued:

Councilmember Lockett congratulated Councilmember Gallagher and Mr. Brad Gambill for their leadership in coordinating the Veterans Parade. She announced that on Monday nights, Golden Corral serves an appreciation dinner to veterans and Boy Scout Troup No. 792 attends and helps out during this weekly event. She said it is thrilling to see young people who are excited about helping the veterans.

Miscellaneous Discussion, continued:

Thanks to Veterans, continued

Councilmember Williams thanked Councilmember Gallagher for the part he played in this event. He said in addition to the parade, over 600 veterans were honored at several ceremonies throughout Norman.

\*

Boards and Commissions. Councilmember Gallagher said there are openings on several Boards and Commissions and asked citizens interested in serving to please contact City Hall.

\*

Business Friendly. Councilmember Spaulding said he had been told this evening that he was not very business friendly. He said he did not believe the term "business friendly" applied to a contractor being hired by the City of Norman. He said the term "business friendly" applies to those who want to open up a business in Norman and contribute to our community, provide jobs, produce a service or product, and make a profit. He said he had wished to postpone an item to study further spending taxpayers' money. He said Staff should assist businesses and business owners when they are trying to open their businesses doors so they can open as quickly as possible. He said inspectors sometimes make inspections without checking in or without notice and this is not "business friendly."

Councilmember Williams said he was also mentioned as a person who was not business friendly. He said he had also wished to postpone an item to make sure the taxpayers' money was being spent wisely. He said the City was the business this evening and Council was trying to make sure the right person was hired for the job. He said "business friendly" is when a business comes to the City wanting to do business and the City welcomes them and provides great customer service.

\*

City Council Code of Conduct. Councilmember Griffith said City Council adopted a Code of Conduct and one of the requirements is to honor and respect membership and not make personal comments about any one Councilmember. He respectfully requested that comments about any one Councilmember should be made in private in the future.

\*

Interstate 35 Projects. Mr. Steve Lewis, City Manager, said the Oklahoma Department of Transportation (ODOT) set aside nearly \$29 million for the Main Street and Interstate 35 Interchange Project and an additional \$15 million for the Interstate 35 Bridge Rehabilitation Project over the South Canadian River. He said construction on these projects should begin at the beginning of 2013.

\* \* \* \* \*

ADJOURNMENT

There being no further business, Councilmember Kovach 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 Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the meeting was adjourned at 9:43 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor