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

February 12, 2013

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 12th day of February, 2013, 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 Cleveland Elementary School

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF JANUARY 9, 2013
CITY COUNCIL STUDY SESSION MINUTES OF JANUARY 15, 2013
CITY COUNCIL FINANCE COMMITTEE MINUTES OF JANUARY 16, 2013
CITY COUNCIL CONFERENCE MINUTES OF JANUARY 22, 2013
CITY COUNCIL MINUTES OF JANUARY 22, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF JANUARY 22, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF JANUARY 22, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JANUARY 22, 2013

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-1213-52 dated January 30, 2013, by Brenda Hall, City Clerk
2. City Council Oversight Committee minutes of January 9, 2013
3. City Council Study Session minutes of January 15, 2013
4. City Council Finance Committee minutes of January 16, 2013
5. City Council Conference minutes of January 22, 2013
6. City Council minutes of January 22, 2013
7. Norman Utilities Authority minutes of January 22, 2013
8. Norman Municipal Authority minutes of January 22, 2013
9. Norman Tax Increment Finance Authority minutes of January 22, 2013

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 CLEVELAND ELEMENTARY SCHOOL.

Councilmember Kovach moved that the Mayor be allowed to present Citizenship Awards to students from Cleveland Elementary School, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1213-53 dated February 1, 2013, by Carol Coles, Administrative Assistant

Participants in discussion
1. Mayor Rosenthal and Councilmember Williams presented Citizenship Awards to students Jack Allen, Landry Allen, William Bradley, Cooper Bryant, Estefani Corado, Kathy Corado, Katie Gatlin, Clay Horning, Sophia Kee-Rees, Hayden Langdon, Davis Mears, Haley Pollock, Annabella Potts, Avery Robertson, and Jordan Wright
2. Ms. Sherry Bryant, representing Cleveland Elementary School and the Cleveland Cubs, said these students were selected as representatives of good citizens of Cleveland Elementary School

and the question being upon allowing the Mayor to present Citizenship Awards to students from Cleveland Elementary School, 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 Mayor was allowed to present Citizenship Awards to students from Cleveland Elementary School,

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Item 5, being:

PROCLAMATION NO. P-1213-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF FEBRUARY, 2013, AS BLACK HISTORY MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-11 proclaiming the month of February, 2013, as Black History Month in the City of Norman be acknowledged, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1213-11 dated January 28, 2013, by Carol Coles, Administrative Assistant
2. Proclamation No. P-1213-11

Participants in discussion
1. Mr. Bruce Fisher, and Payton Ford, V, son and great-grandson of Ada Lois Sipuel Fisher, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-11 proclaiming the month of February, 2013, as Black History Month in the City of Norman, 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 Proclamation No. P-1213-11 proclaiming the month of February, 2013, as Black History Month in the City of Norman was acknowledged.

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Item 6, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 7 through Item 26 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 7 through Item 26, 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 7 through Item 26 were placed on the consent docket by unanimous vote.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1213-27 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, MODIFYING THE PLATTED LIMITS OF NO ACCESS PERTAINING TO LOT 13 A, BLOCK 2, VISTA SPRINGS ESTATES ADDITION, SECTION 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF SPRING VIEW DRIVE BETWEEN TURKEY RUN COURT AND DOE RIDGE COURT)

Councilmember Kovach moved that Ordinance No. O-1213-27 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-1213-27 dated December 13, 2012, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-27
3. Location map
4. Memorandum dated December 10, 2012, from Brenda Hall, City Clerk, to Rone Tromble, Administrative Technician IV, Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; and Ken Danner, Subdivision Manager
5. Letter of request filed December 10, 2012, from S.P. Rieger, P.L.L.C., to City of Norman Planning Department and Public Works Department with Exhibit A, Existing Plat; Exhibit B, Proposed Modification, Exhibit C, Proposed site plan; Exhibit D, Uninhibited Site Line Distances; and Exhibit E, Aerial of House
6. Support map containing 99.5% support within notification area
7. Letter of support filed January 4, 2013, from Fred Sellers, Vista Springs Estates Homeowners Association, to Norman Planning Commission
8. Staff report dated January 10, 2013, recommending approval
9. Pertinent excerpts from Planning Commission minutes of January 10, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1213-27 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-1213-27 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1213-34 UPON FIRST READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE VIII, MANUFACTURED FERTILIZER, SECTIONS 10-801 THROUGH 10-813 TO THE CODE OF THE CITY OF NORMAN TO DEFINE MANUFACTURED FERTILIZER CONTAINING PHOSPHORUS, REGULATE ITS USE IN ACCORDANCE WITH SPECIFIC PROVISIONS, TO PROVIDE FOR REGISTRATION OF COMMERCIAL APPLICATORS OF MANUFACTURED FERTILIZER, AND PROVIDE FOR PENALTY FOR FAILURE TO COMPLY WITH THE TERMS OF THIS CHAPTER; AND ADDING SECTION 13-108 TO PROVIDE FEES FOR COMMERCIAL APPLICATORS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-34 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-34 dated February 4, 2013, by Scott Sturtz, City Engineer
2. Ordinance No. O-1213-34
3. Legislatively notated copy of Ordinance No. O-1213-34
4. Pertinent excerpts from City Council Oversight Committee minutes of December 12, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1213-34 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-1213-34 was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-47, CONTRACT NO. K-1213-133 WITH ALLIANCE ELECTRIC SERVICES IN THE AMOUNT OF $195,966, PERFORMANCE BOND NO. B-1213-57, AND RESOLUTION NO. R-1213-87 FOR THE BUILDING C GENERATOR/UNINTERRUPTIBLE POWER SUPPLY (UPS) UPGRADE PROJECT.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-47 from Alliance Electric Services for the Building C Generator/UPS Upgrade Project be accepted; Contract No. K-1213-133 in the amount of $195,966 and the performance bond be approved; execution of the contract be authorized; the filing of the bond be directed; and Resolution No. R-1213-87 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-133 dated December 21, 2012, by Gary Lowe, Information Systems Manager
2. Vendor List
3. Contract No. K-1213-133
4. Performance Bond No. B-1213-57
5. Generac SD 250 Industrial Diesel Generator Set Brochure
6. Liebert NX UPS Power Solution for Small and Medium Data Centers Brochure
7. Resolution No. R-1213-87
8. Purchase Requisition No. 0000211454 dated December 27, 2012, in the amount of $195,966 to Alliance Electric Services, Inc.

Item 9, continued:

and the question being upon accepting Request for Proposal No. RFP-1213-47 from Alliance Electric Services for the Building C Generator/UPS Upgrade Project and upon the subsequent 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 Request for Proposal No. RFP-1213-47 from Alliance Electric Services for the Building C Generator/UPS Upgrade Project accepted; Contract No. K-1213-133 in the amount of $195,966 and the performance bond were approved; execution of the contract was authorized; the filing of the bond was directed; and Resolution No. R-1213-87 was adopted.

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Item 10, being:

CONSIDERATION OF BID NO. 1213-58, NORMAN UTILITIES AUTHORITY APPROVAL OF CONTRACT NO. K-1213-129 WITH BRB CONTRACTORS, L.L.C., IN THE AMOUNT OF $788,505; PERFORMANCE BOND NO. B-1213-55; STATUTORY BOND NO. B-1213-56; AND MAINTENANCE BOND NO. MB-1213-44; FOR THE RAW WATER LINE, PHASE 1, (VAULTS) AND BUDGET TRANSFER.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $788,505 be awarded to BRB Contractors, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-129 and the performance, statutory, and maintenance bonds be approved; execution of the contact be authorized; the filing of the bonds be directed; and $140,000 be transferred from Project No. WB0140, FY 08, 12-inch Water Line, Construction (031-9345-462.61-01) to Project No. WB0051, 48-inch Raw Water Line Project, Construction (031-9356-462.61-01), which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1213-129 dated January 29, 2013, by Chris Mattingly, Water Treatment Plant Superintendent
2. Engineer's Recommendation dated January 30, 2013, from S. Shane Smith, P.E., Project Manager, Garver, L.L.C., to Mr. Chris Mattingly, P.E., City of Norman
3. Contract No. K-1213-129
4. Performance Bond No. B-1213-55
5. Statutory Bond No. B-1213-56
6. Maintenance Bond No. BM-1213-44
7. Purchase Requisition No. 0000212912 dated February 6, 2013, in the amount of $788,505 to BRB Contractors, Inc.

and the question being upon accepting all bids meeting specifications upon the subsequent approval, authorization, directive, 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 all bids meeting specifications accepted; the bid in the amount of $788,505 was awarded to BRB Contractors, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-129 and the performance, statutory, and maintenance bonds were approved; execution of the contact was authorized; the filing of the bonds was directed; and $140,000 was transferred from Project No. WB0140, FY 08, 12-inch Water Line, Construction (031-9345-462.61-01) to Project No. WB0051, 48-inch Raw Water Line Project, Construction (031-9356-462.61-01).

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Item 11, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-62 FOR THE PURCHASE OF SUPERPAVE ASPHALT, EMULSIFIED ASPHALT, AND CONTAINER PATCH MIX FOR THE STREET MAINTENANCE DIVISION.

1. SUPERPAVE ASPHALT
   A. SUPERPAVE ASPHALT TYPE - S-3, ZONES 1-5 AND BATCH PLANT
   B. SUPERPAVE ASPHALT - TYPE S-4, ZONES 1-5 AND BATCH PLANT
   C. SUPERPAVE ASPHALT - TYPE S-5, ZONES 1-5 AND BATCH PLANT

2. EMULSIFIED ASPHALT, TYPE SS-1 OR EQUAL
   A. DELIVERED AND APPLIED
   B. PICKUP AT PLANT

3. CONTAINER PATCH MIX
   A. PICKUP AT PLANT (LESS THAN 50 CONTAINERS)
   B. BULK PICKUP AT PLANT
   C. BULK (TONS) DELIVERED TO 668 EAST LINDSEY STREET, NORMAN, OK

Councilmember Kovach moved that all bids meeting specifications on Section 1A, Zones 1, 2, 3, 4, 5, and Batch Plant, be accepted and the bid be awarded to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications; Haskell Lemon Construction Company as the first alternate bidder, and Paving Materials, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-62 dated January 11, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated January 10, 2013. for Section 1A, Superpave Asphalt, Type S3, Zones 1, 2, 3, 4, 5, and Batch Plant

and the question being upon accepting all bids meeting specifications on Section 1A, Zones 1, 2, 3, 4, 5, and Batch Plant, 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 1A, Zones 1, 2, 3, 4, 5, and Batch Plant, accepted; and the bid was awarded to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications, Haskell Lemon Construction Company as the first alternate bidder, and Paving Materials, Inc., as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 1B, Zones 1, 2, 3, 4, 5, and Batch Plant, and Section 1C, Zones 1, 2, 3, 4, and 5 be accepted and the bid be awarded to Haskell Lemon Construction Company as the lowest and best bidder meeting specifications, Paving Materials, Inc., as the first alternate bidder, and T.J. Campbell Construction Company as the second alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-62 dated January 11, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated January 10, 2013, for Section 1B, Superpave Asphalt, Type S4 Zones 1, 2, 3, 4, 5, and Batch Plant and Section 1C, Superpave Asphalt, Type S5, Zones 1, 2, 3, 4, and 5

Item 11, continued:

and the question being upon accepting all bids meeting specifications on Section 1B, Zones 1, 2, 3, 4, 5, and Batch Plant, and Section 1C, Zones 1, 2, 3, 4 and 5, 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 1B, Zones 1, 2, 3, 4, 5, and Batch Plant, and Section 1C, Zones 1, 2, 3, 4 and 5, accepted; and the bid was awarded to Haskell Lemon Construction Company as the lowest and best bidder meeting specifications, Paving Materials, Inc., as the first alternate bidder, and T.J. Campbell Construction Company as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 1C, Batch Plant, be accepted and the bid be awarded to Paving Materials, Inc., as the lowest and best bidder meeting specifications, Haskell Lemon Construction Company as the first alternate bidder, and T.J. Campbell Construction Company as the second alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. BID-1213-62 dated January 11, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated January 10, 2013, for Section 1C, Superpave Asphalt, Type S5, Batch Plant

and the question being upon accepting all bids meeting specifications on Section 1C, Batch Plant, 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 1C, Batch Plant, accepted; and the bid was awarded to Paving Materials, Inc., as the lowest and best bidder meeting specifications, Haskell Lemon Construction Company as the first alternate bidder, and T.J. Campbell Construction Company as the second alternate bidder.

Thereupon, Councilmember Kovach moved that the bid as meeting specifications on Section 2A be accepted and the bid be awarded to Paving Materials, Inc., 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. BID-1213-62 dated January 11, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated January 10, 2013, for Section 2A, Emulsified Asphalt, SS-1 or Equal, Delivered and Applied

and the question being upon accepting the bid as meeting specifications on Section 2A 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 the bid as meeting specifications on Section 2A accepted; and the bid was awarded to Paving Materials, Inc., as the lowest and best bidder meeting specifications.

Item 11, continued:

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 2B be accepted and the bid be awarded to Vance Oil Company as the lowest and best bidder meeting specifications; Haskell Lemon Construction Company as the first alternate bidder, and Paving Materials as the second alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. BID-1213-62 dated January 11, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated January 10, 2013, for Section 2B, Emulsified Asphalt, SS-1 or Equal, Pickup at Plant

and the question being upon accepting all bids meeting specifications on Section 2B 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 2B accepted; and the bid was awarded to Vance Oil Company as the lowest and best bidder meeting specifications, Haskell Lemon Construction Company as the first alternate bidder, and Paving Materials as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications Sections 3A, 3B, 3C, and 3D be accepted and the bid be awarded to Paving Maintenance Supply, Inc., as the lowest and best bidder meeting specifications and Logan County Asphalt Company as the alternate bidder, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. BID-1213-62 dated January 11, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated January 10, 2013, for Section 3, Container Patch Mix, A, Pickup at Plant; B, 50 pound bags (one or more pallets) delivered to 668 East Lindsey; C, Bulk pickup at plant; and D, Bulk delivered to 668 East Lindsey

and the question being upon accepting all bids meeting specifications on Sections 3A, 3B, 3C, and 3D 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 Sections 3A, 3B, 3C, and 3D accepted; and the bid was awarded to Paving Maintenance Supply, Inc., as the lowest and best bidder meeting specifications and Logan County Asphalt Company as the alternate bidder.

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Item 12, being:

EASEMENT NO. E-1213-19: CONSIDERATION OF ACCEPTANCE OF A DRAINAGE EASEMENT DONATED BY RCTA, L.L.C., FOR PART OF LOT 5, BLOCK 2, TEALL ADDITION NO. 2, SERVING LOTS 1 AND 2, TEALL ADDITION NO. 2.

Councilmember Kovach moved that Easement No. E-1213-19 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith.

Items submitted for the record

1. Text File No. E-1213-19 dated January 25, 2013, by Ken Danner, Subdivision Manager
2. Easement No. E-1213-19
3. Location map

and the question being upon accepting Easement No. E-1213-19 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-1213-19 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 13, being:

CONSIDERATION OF GRANTING TEMPORARY EASEMENT NO. E-1213-20 TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF HIGHWAY NINE IN SAXON PARK IN CONNECTION WITH CONTRACT NO. K-1213-38 FOR THE RELOCATION OF UTILITIES ON STATE HIGHWAY 9 FROM 24TH AVENUE S.E. TO 36TH AVENUE S.E., ACCEPTANCE OF $3,117 FOR DAMAGES DURING CONSTRUCTION, AND BUDGET TRANSFER.

Councilmember Kovach moved that Temporary Easement No. E-1213-20 be granted, the execution thereof be authorized; payment from ODOT in the amount of $3,117 for damages be accepted; and upon receipt of payment, Reimbursements/Other Agencies (050-0000-366.12-39) be increased by $3,117 and $3,117 be appropriated to Project No. PC0003, Saxon Park Improvement Project, Construction (052-9674-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1213-20 dated January 29, 2013, by Scott Sturtz, City Engineer, with Attachment A, summary of current offers
2. Temporary Easement No. E-1213-20
3. Location map

and the question being upon granting Temporary Easement No. E-1213-20 and upon the subsequent authorization, acceptance, increase, and appropriation, 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 Temporary Easement No. E-1213-20 granted; the execution thereof was authorized; payment from ODOT in the amount of $3,117 for damages was accepted; and upon receipt of payment, Reimbursements/Other Agencies (050-0000-366.12-39) will be increased by $3,117 and $3,117 will be appropriated to Project No. PC0003, Saxon Park Improvement Project, Construction (052-9674-452.61-01).

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Item 14, being:

CONSIDERATION OF CONVEYANCE BY TITLE BY WARRANTY DEED TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROPERTY KNOWN AS PARCEL 8 LOCATED ON THE NORTH SIDE OF HIGHWAY NINE NEAR THE INTERSECTION OF 36TH AVENUE S.E. TO BE ACQUIRED AS RIGHT-OF-WAY IN CONNECTION WITH CONTRACT NO. K-1213-38 FOR THE RELOCATION OF UTILITIES ON STATE HIGHWAY 9 FROM 24TH AVENUE S.E. TO 36TH AVENUE S.E., ACCEPTANCE OF $5,010 FOR DAMAGES TO PROPERTY, AND BUDGET TRANSFER.

Councilmember Kovach moved that conveyance of title by Warranty Deed for Parcel 8 to the Oklahoma Department of Transportation be approved, the execution thereof be authorized; payment in the amount of $5,010 from ODOT be accepted; and upon receipt of payment, Reimbursements/Other Agencies (050-0000-366.12-39) be increased by $5,010 and $5,010 be appropriated to Maintenance and Repairs Services/Contract - Other (321-5552-432.42-29), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-106 dated January 29, 2013, by Scott Sturtz, City Engineer, with Attachment A, summary of current offers
2. Warranty Deed for Parcel 8
3. Location map

and the question being upon approving conveyance of title by Warranty Deed for Parcel 8 to the Oklahoma Department of Transportation and upon the subsequent authorization, acceptance, increase, and appropriated, 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 conveyance of title by Warranty Deed for Parcel 8 to the Oklahoma Department of Transportation approved; the execution thereof was authorized, payment in the amount of $5.010 from ODOT was accepted, and upon receipt of payment, Reimbursements/Other Agencies (050-0000-366.12-39) will be increased by $5.010 and $5,010 will be appropriated to Maintenance and Repairs Services/Contract - Other (321-5552-432.42-29).

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Item 15, being:

CONSIDERATION OF CONVEYANCE BY TITLE BY WARRANTY DEED TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROPERTY KNOWN AS PARCEL 11 LOCATED ON THE SOUTH SIDE OF HIGHWAY NINE IN SAXON PARK TO BE ACQUIRED AS RIGHT-OF-WAY IN CONNECTION WITH CONTRACT NO. K-1213-38 FOR THE RELOCATION OF UTILITIES ON STATE HIGHWAY 9 FROM 24TH AVENUE S.E., TO 36TH AVENUE S.E., ACCEPTANCE OF $1,000 FOR DAMAGES TO PROPERTY, AND BUDGET TRANSFER.

Councilmember Kovach moved that conveyance of title by Warranty Deed for Parcel 11 to the Oklahoma Department of Transportation be approved; the execution thereof be authorized; payment in the amount of $1,000 from ODOT be accepted; and upon receipt of payment, Reimbursements/Other Agencies (050-0000-366.12-39) be increased by $1,000 and $1,000 be appropriated to Project No. PC0003, Saxon Park Improvement Project, Construction (052-9674-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-107 dated January 29, 2013, by Scott Sturtz, City Engineer, with Attachment A, summary of current offers
2. Warranty Deed for Parcel 11 with Exhibit "A", legal description
3. Location map

Item 15, continued:

and the question being upon approving conveyance of title by Warranty Deed for Parcel 11 to the Oklahoma Department of Transportation and upon the subsequent authorization, acceptance, increase, and appropriation, 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 conveyance of title by Warranty Deed for Parcel 11 to the Oklahoma Department of Transportation approved; and the execution thereof was authorized, $1,000 from ODOT was accepted, and upon receipt of payment, Reimbursements/Other Agencies (050-0000-366.12-39) will be increased by $1,000 and $1,000 will be appropriated to Project No. PC0003, Saxon Park Improvement Project, Construction (052-9674-452.61-01).

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Item No. 16, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1213-5 FOR SNIDER ACRES II AND ACCEPTANCE OF EASEMENT NOS. E-1213-17 AND E-1213-18. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 48TH AVENUE N.E. AND ROBINSON STREET).

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1213-5 be approved, Easement Nos. E-1213-17 and E-1213-18 be accepted, and the filing of the certificate of survey and easements with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. COS-1213-5 dated December 13, 2012, by Ken Danner, Subdivision Manager
2. Norman Rural Certificate of Survey No. COS-1213-5
3. Easement Nos. E-1213-17 and E-1213-18
4. Declaration of Property Owners Association, Covenants and Restrictions for Snider Acres II
5. Location map
6. Staff Report dated January 10, 2013, recommending approval
7. Pertinent excerpts from Planning Commission minutes of January 10, 2013

and the question being upon approving Norman Rural Certificate of Survey No. COS-1213-5 and upon the subsequent acceptance and 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 Norman Rural Certificate of Survey No. COS-1213-5 approved; Easement Nos. E-1213-17 and E-1213-18 were accepted and the filing of the certificate of survey and easements with the Cleveland County Clerk was directed.

* * * * *

Item 17, being:

CONSIDERATION OF AN AMENDED FINAL PLAT FOR WILLIAMS & SPURGEON ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (500 24TH AVENUE S.W.)

Councilmember Kovach moved that the amended final plat for Williams & Spurgeon 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 requirement public improvements; and the filing of the amended final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1213-23 dated November 14, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Final plat
4. Staff Report dated December 13, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of December 13, 2012

and the question being upon approving the amended final plat for Williams & Spurgeon 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, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the amended final plat for Williams & Spurgeon 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 requirement public improvements, and the filing of the amended final plat was directed.

* * * * *

Item 18, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1213-6 FOR BLOCKS F AND H, LAS COLINAS ADDITION, SECTION 1, NORMAN, CLEVELAND COUNTY, OKLAHOMA. (ENTRY ON BOTH SIDES OF LAS COLINAS LANE OFF OF 48TH AVENUE N.W.)

Councilmember Kovach moved that Consent to Encroachment No. EN-1213-6 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. EN-1213-6 dated January 28, 2013, by Leah Messner, Assistant City Attorney
2. Memorandum dated January 8, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
3. Letter of request filed January 8, 2013, from Jon Horn, Sunset Hills, L.L.C., Westpoint Homes, to City Clerk of Norman
4. Survey Exhibits, Las Colinas Addition, Section 1
5. Legal Description, Las Colinas Addition, Section 1, Block "F"
6. Legal Description, Las Colinas Addition, Section 1, Block "H"
7. Site Plan Exhibits
8. Consent to Encroachment No. EN-1213-6 with Exhibit "A", Legal Description, Block F and Exhibit "B", Legal Description, Block H
9. Memorandum dated January 24, 2013, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
10. Memorandum dated January 25, 2013, from Jane Hudson, Principal Planner, to Honorable Mayor and Councilmembers
11. Memorandum dated January 25, 2013, from Ken Danner, Subdivision Development Manager, to Leah Messner, Assistant City Attorney
12. Email dated January 15, 2013, from Thad Peterson, Oklahoma Electric Cooperative, to Ken Danner

Item 18, continued:

Items submitted for the record, continued

13. Letter dated January 17, 2013, from Brian Navarro, Operations Supervisor, Oklahoma Natural Gas, a Division of ONEOK, to Jon Horn, Westpoint Homes
14. Letter dated January 18, 2013, from Jodie Finney, Construction Service Support Specialist II, Cox Communications, Inc., to Ken Danner, Subdivision Manager, City of Norman Engineering/Public Works
15. Letter dated January 21, 2013, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
16. Letter dated January 24, 2013, from Charles Truesdell, Manager, Engineering and Design, AT&T Engineering/Construction, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. EN-1213-6 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 Consent to Encroachment No. EN-1213-6 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 19, being:

CONSIDERATION OF ACCEPTANCE OF A DONATION OF RESIDENTIAL GLASS VALUED AT $868 FROM DOUG SPEHEGER TO BE USED FOR FIREARMS AND AMMUNITION TESTING, SPECIAL WEAPONS AND TACTICS TEAM TRAINING, AND HAZARDOUS DEVICES UNIT TRAINING BY THE NORMAN POLICE DEPARTMENT TRAINING SECTION.

Councilmember Kovach moved that a donation of residential glass valued at $868 from Mr. Doug Speheger to be used by the Police Department Training Section be accepted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-51 dated January 29, 2013, by Captain Praizner

and the question being upon accepting a donation of residential glass valued at $868 from Mr. Doug Speheger to be used by the Police Department Training 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 a donation of residential glass valued at $868 from Mr. Doug Speheger to be used by the Police Department Training Section was accepted.

* * * * *

Item 20, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $4,000 FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS TO BE USED BY THE FIRE DEPARTMENT FOR PUBLIC OUTREACH AND EDUCATION DURING THE MEDIEVAL FAIR HELD APRIL 5 THROUGH 7, 2013, AND APPROVAL OF CONTRACT NO. K-1213-157 AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of $4,000 from the National Association of County and City Health Officials to be used by the Fire Department for public outreach and education efforts during the annual Medieval Fair being held April 5 through 7, 2013, be accepted; Contract No. K-1213-157 be approved; execution of the contract be authorized; Other Revenue: Emergency Management Grant (022-0000-331.13-60) be increased by $4,000; and $4,000 be appropriated to Project No. GF0021, MR Corps – NACCHO Grant, Other Supplies and Materials – Miscellaneous (022-9508-422.31-99), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-157 dated January 30, 2013, by James Fullingim, Fire Chief
2. Contract No. K-1213-157

Participants in discussion
1. Mr. David Grizzle, Emergency Management Coordinator

and the question being upon accepting a grant in the amount of $4,000 from the National Association of County and City Health Officials to be used by the Fire Department for public outreach and education efforts during the annual Medieval Fair being held April 5 through 7, 2013, and upon the subsequent approval, authorization, increase, and appropriation, 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 a grant in the amount of $4.000 from the National Association of County and City Health Officials to be used by the Fire Department for public outreach and education efforts during the annual Medieval Fair being held April 5 through 7, 2013, accepted; Contract No. K-1213-157 was approved; execution of the contract was authorized; Other Revenue: Emergency Management Grant (022-0000-331.13-60) was increased by $4,000; and $4,000 was appropriated to Project No. GF0021, MR Corps – NACCHO Grant, Other Supplies and Materials – Miscellaneous (022-9508-422.31-99).

* * * * *

Item 21, being:

AMENDMENT NO. TWO TO CONTRACT K-0809-165: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CHIANG PATEL & YERBY, (CP&Y), INC., INCREASING THE CONTRACT AMOUNT BY $26,781 TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE FRANKLIN ROAD BRIDGE PROJECT OVER LITTLE RIVER LOCATED ONE-HALF MILE WEST OF 12TH AVENUE N.W.

Councilmember Kovach moved that Amendment No. Two to Contract No. K-0809-165 with CP&Y, Inc., increasing the contract amount by $26,781 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-0809-165, Amendment No. Two, dated January 21, 2013, by John Clink, Capital Projects Engineer
2. Amendment No. Two to Contract No. K-0809-165 with Exhibit A1, Fee Estimate
3. Amendment No. One to Contract No. K-0809-165 with Exhibit A1, Hours
4. Contract No. K-0809-165 with Attachment "A", Scope of Services; Attachment "B", Compensation; and Attachment "C", Owner's Responsibilities
5. Location map
6. Purchase Requisition No. 0000212202 dated January 16, 2013, in the amount of $26,781 to Chiang, Patel and Yerby, Inc.

Item 21, continued:

and the question being upon approved Amendment No. Two to Contract No. K-0809-165 with CP&Y, Inc., increasing the contract amount by $26,781 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 Amendment No. Two to Contract No. K-0809-165 with CP&Y, Inc., increasing the contract amount by $26,781 approved; and the execution thereof was authorized.

* * * * *

Item 22, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1213-3: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND OPES, INC. INCREASING THE CONTRACT AMOUNT BY $26,906 FOR THE FYE 2013 CONCRETE PROJECTS AND BUDGET TRANSFER.

Councilmember Kovach moved that Change Order No. Two to Contract No. K-1213-3 with OPES, Inc., increasing the contract amount by $26,906 be approved, the execution thereof be authorized; and $14,276 be transferred from Project No. SC0539, FYE 2012 Driveway Program, Construction (050-9370-431.61-01) and $12,630 from Project No. SC0556, FYE 2013 Driveway Repair Program, Construction (050-9370-431.61-01) to Project No. TC0249. FYE 2013 Sidewalk Program for Schools and Arterials, Construction (050-9317-431.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-3 , Change Order No. Two, dated January 25, 2013, by Jack Burdett, Engineering Assistant
2. Change Order No. Two to Contract No. K-1213-3
3. Purchase Requisition No. 0000212556 dated January 28, 2013, in the amount of $26,906

and the question being upon approving Change Order No. Two to Contract No. K-1213-3 with OPES, Inc., increasing the contract amount by $26,906 and upon the subsequent authorization and transfer, 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 Change Order No. Two to Contract No. K-1213-3 with OPES, Inc., increasing the contract amount by $26,906 approved; the execution thereof was authorized; and $14,276 was transferred from Project No. SC0539, FYE 2012 Driveway Program, Construction (050-9370-431.61-01) and $12,630 from Project No. SC0556, FYE 2013 Driveway Repair Program, Construction (050-9370-431.61-01) to Project No. TC0249, FYE 2013 Sidewalk Program for Schools and Arterials, Construction (050-9317-431.61-01).

* * * * *

Item 23, being:

CONTRACT NO. K-1213-153: A RIGHT-OF-WAY, PUBLIC UTILITY AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR STATE AID PROJECT STP-114C(254)AG, STATE JOB NO. 26835(04) FOR THE REPLACEMENT OF THE FRANKLIN ROAD BRIDGE OVER LITTLE RIVER AND ADOPTION OF RESOLUTION NO. R-1213-91.

Councilmember Kovach moved that Contract No. K-1213-153 with ODOT be approved, Resolution No. R-1213-91 be adopted, and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-153 dated January 21, 2013, by John Clink, Capital Projects Engineer
2. Contract No. K-1213-153
3. Resolution No. R-1213-91
4. Location map

and the question being upon approving Contract No. K-1213-153 with ODOT and upon the subsequent adoption and authorization, a vote was taken with the following result:

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

The Chairman declared the motion carried and Contract No. K-1213-153 with ODOT approved; Resolution No. R-1213-91 was adopted and the authorization of the contract and resolution was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-1213-158: A LAND ACQUISITION AND UTILITY RELOCATION PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF $211,220.90 FOR STATE PROJECT NO. 29106(04) FOR THE REHABILITATION OF THE INDIAN HILLS ROAD BRIDGE OVER INTERSTATE 35, ADOPTION OF RESOLUTION NO. R-1213-98, AND BUDGET TRANSFER.

Councilmember Kovach moved that Contract No. K-1213-158 with ODOT be approved; Resolution No. R-1213-98 be adopted;, the execution of the contract and resolution be authorized; $211,220.90 be transferred from Project No. TR0235, Cedar Lane Widening, Land (050-9079-431.60-01) to Project No. TR0049, Indian Hills Bridge Maintenance, Construction (050-9687-432.61-01); and payment in the amount of $211,220.90 be directed to ODOT, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-158 dated February 4, 2013, by John Clink, Capital Projects Engineer
2. Contract No. K-1213-158
3. Resolution No. R-1213-98
4. Location map
5. Purchase Requisition No. 0000212799 dated February 4, 2013, in the amount of $211,220.90 to ODOT

Item 24, continued:

and the question being upon approving Contract No. K-1213-158 with ODOT and upon the subsequent adoption, authorization, transfer, and directive, a vote was taken with the following result:

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

The Chairman declared the motion carried and Contract No. K-1213-158 with ODOT approved; Resolution No. R-1213-98 was adopted; the authorization of the contract and resolution was authorized; $211,220.90 was transferred from Project No. TR0235, Cedar Lane Widening, Land (050-9079-431.60-01) to Project No. TR0049, Indian Hills Bridge Maintenance, Construction (050-9687-432.61-01); and payment in the amount of $211,220.90 was directed to ODOT.

* * * * *

Item 25, being:

RESOLUTION NO. R-1213-90: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $42,500 FROM THE STATE SEIZURE FUND BALANCE TO PURCHASE ONE CANINE, RELATED CANINE EQUIPMENT, COMMUNICATIONS AND SURVEILLANCE EQUIPMENT, AND TO PROVIDE FUNDING TO MAINTAIN SERVICEABLE SEIZED VEHICLES FOR THE NORMAN POLICE DEPARTMENT.

Councilmember Kovach moved that Resolution No. R-1213-90 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1213-90 dated January 17, 2013, by Captain Glenn Dobry
2. Resolution No. R-1213-90

Participants in discussion
1. Mr. Keith Humphrey, Police Chief

and the question being upon adopting Resolution No. R-1213-90, 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-1213-90 was adopted.

* * * * *

Item 26, being:

RESOLUTION NO. R-1213-96: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $34,900 FROM THE ROOM TAX FUND BALANCE TO BE USED BY THE NORMAN CONVENTION AND VISITORS BUREAU, INC., (NCVB) TO FUND A "CALL TO ACTION" CAMPAIGN TO PROMOTE POTENTIAL VISITORS, PRODUCTION OF A VIDEO PROMOTING NORMAN, AND PARTICIPATION IN A WEB PORTAL FOR MEETING PLANNERS AND EXECUTIVES.

Councilmember Kovach moved that Resolution No. R-1213-96 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1213-96 dated January 30, 2013, by Anthony Francisco, Director of Finance
2. Memorandum dated January 16, 2013, from Stephen Koranda, Norman Convention and Visitors Bureau, to Anthony Francisco and Steve Lewis, City of Norman
3. Resolution No. R-1213-96

Item 26, continued:

Participants in discussion

1. Mr. Stephen Koranda, Executive Director of Norman Convention and Visitors Bureau, Inc.

Item 26, continued:

and the question being upon adopting Resolution No. R-1213-96, 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-1213-96 was adopted.

* * * * *

Item 27, being:

RESOLUTION NO. R-1213-97: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE HEREINAFTER-DESCRIBED PREMISES AS A NUISANCE PROPERTY; AND PROVIDING FOR NOTICE AND HEARING THEREOF. (1207 CRUCE STREET)

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

Items submitted for the record

1. Text File No. R-1213-97 dated February 4, 2013, by Linda Price, Revitalization Manager
2. Section 10-203.1 of the Norman Code of Ordinances, Public Nuisances
3. Officer summary of calls for service at 1207 Cruce Street
4. Spreadsheet of calls for service
5. Summary of arrests at 1207 Cruce Street
6. Norman Municipal Court Defendant History for James Clayton Feaver
7. Cleveland County District Court Record for Jesse Beaty
8. Location map
9. Photographs of property
10. Resolution No. R-1213-97

and the question being upon conducting a public hearing, 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 a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Ms. Linda Price, Revitalization Manager
2. Mr. Keith Humphrey, Police Chief
3. Mr. Jeff Bryant, City Attorney
4. Ms. Teresa Willige, 1219 Cruce Street, proponent
5. Mr. August Willige, 1219 Cruce Street, proponent
6. Mr. Cal Wynn, 1209 Cruce Street, proponent
7. Ms. Joy Hampton, The Norman Transcript, 225 West Comanche, asked questions

Item 27, continued:

Thereupon, Councilmember Kovach moved that the public hearing be closed, which motion was duly seconded by Councilmember Griffith; and the question being upon closing the public hearing, 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 public hearing was closed.

Thereupon, Councilmember Kovach moved that Resolution No. R-1213-97 be adopted and the directive that Staff abate the nuisance as outlined in Resolution No. R-1213-97 as required by law be approved, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Resolution No. R-1213-97 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 Resolution No. R-1213-97 adopted; and the directive that Staff abate the nuisance as outlined in Resolution No. R-1213-97 as required by law was approved.

* * * * *

Item 28, 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)

Resolution No. R-1112-129 having been postponed in City Council's meeting of November 13, 2012, until January 8, 2013, and having been further postponed in City Council's meeting of January 8, 2013, until February 12, 2013, Councilmember Kovach moved that Resolution No. R-1112-129 be postponed until April 9, 2012, 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, Principal Planner
2. Letter requesting postponement dated February 4, 2013, from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
3. Letter requesting postponement dated December 19, 2012 from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
4. Letter requesting postponement dated November 7, 2012 from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
5. Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6
6. Location map
7. Staff Report dated September 13, 2012, recommending approval
8. Predevelopment Summary Case No. PD-12-27 dated July 26, 2012, for Mark Risser/B-3 Development Group located at 612 and 710 Asp and 421-427 Buchanan Avenue
9. Predevelopment Summary Case No. PD-12-17 dated April 26, 2012, for B-3 Development Group located on the west side of Asp Avenue just south of the Duffy Street and Asp Avenue intersection
10. Predevelopment Summary Case No. PD-12-09 dated March 22, 2012, for Mark Risser located at 710 Asp Avenue
11. Pertinent excerpts from Planning Commission minutes of July 12, August 9, and September 13, 2012

Item 28, continued:

Participants in discussion

1. Mr. Joe Logan, 401 East Boyd Street, proponent
2. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
3. Mr. Tim Parmenter, 401 East Boyd Street, proponent

and the question being upon postponing Resolution No. R-1112-129 until April 9, 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 was postponed until April 9, 2013.

* * * * *

Item 29, being:

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; and Ordinance No. O-1112-38 having been postponed in City Council's meeting of November 13, 2012, until January 8, 2013, and having been further postponed in City Council's meeting of January 8, 2013, until February 12, 2013, Councilmember Kovach moved that Ordinance No. O-1112-38 be postponed until April 9, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-38 dated April 17, 2012, by Jane Hudson, Principal Planner
2. Letter requesting postponement dated February 4, 2013, from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
3. Letter requesting postponement dated December 19, 2012 from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
4. Letter requesting postponement dated November 7, 2012 from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
5. Ordinance No. O-1112-38
6. Location map
7. Staff Report dated September 13, 2012, with no recommendation
8. Project Written Description dated July 9, 2012
9. Schematic elevation
10. Second floor plan
11. Site plan
12. Sidewalk plan
13. Renderings of similar project
14. 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.
15. Pertinent excerpts from Planning Commission minutes of August 9 and July 12, 2012
16. Memorandum dated August 9, 2012, from Susan Connors, Director of Planning and Community Development, to Norman Planning Commission
17. Pertinent excerpts from Planning Commission minutes of September 13, 2012

Item 29, continued:

and the question being upon postponing Ordinance No. O-1112-38 until April 9, 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 April 9, 2013.

* * * * *

Item 30, being:

CONSIDERATION OF THE REVISED PRELIMINARY PLAT FOR LITTLE RIVER TRAILS ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE WEST SIDE OF PORTER AVENUE 1/4 MILE NORTH OF TECUMSEH ROAD)

Councilmember Kovach moved that the preliminary plat for Little River Trails Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. PP-1213-8 dated October 10, 2012, by Ken Danner, Subdivision Manager with Attachment A, traffic table
2. Location map
3. Preliminary plat
4. Staff Report dated December 13, 2012, recommending approval
5. Preliminary site development plan
6. Well site plan
7. Norman Greenbelt Enhancement Statement Case No. PD 12-34 dated September 27, 2012, for Terra Verde Development, L.L.C.
8. Greenbelt Commission Final Comments dated October 15, 2012, for File No. GBC 12-30
9. Predevelopment Summary Case No. PD 12-34 dated November 15, 2012, for Terre Verde Group for Little River Addition
10. Pertinent excerpts from Planning Commission minutes of December 13, 2012

Participants in discussion

1. Mr. Tom McCaleb, SMC Consulting Engineers, P.C., 115 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon approving the preliminary plat for Little River Trails Addition, a Planned Unit Development, 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 preliminary plat for Little River Trails Addition, a Planned Unit Development, was approved.

* * * * *

Item 31, being:

ORDINANCE NO. O-1213-23 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A DRAINAGE EASEMENT LOCATED IN CCC ADDITION NO. 1 OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3650 CLASSEN BOULEVARD)

Ordinance No. O-1213-23 having been Introduced and adopted upon First Reading by title in City Council's meeting of January 22, 2013, Councilmember Kovach moved that Ordinance No. O-1213-23 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-1213-23 dated November 15, 2012, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-23
3. Location map
4. Memorandum dated November 9, 2012, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Jane Hudson, Principal Planner; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
5. Petition to close drainage easement dated November 9, 2012, with Attachment No. One, Final Plat of CCC Addition No. One; Attachment No. Two, Location Map; and Attachment No. Three, Legal Description
6. Radius map
7. Staff report dated December 13, 2012, recommending approval
8. Drainage map
9. Pertinent excerpts from Planning Commission minutes of December 13, 2012

Items submitted for the record

1. Mr. Steve Eoff, 1891 Trailview Drive, contractor representing applicant

and the question being upon adopting Ordinance No. O-1213-23 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-1213-23 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-23 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-1213-23 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-1213-23 was adopted upon Final Reading as a whole.

* * * * *

Item 32, being:

ORDINANCE NO. O-1213-26 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A DRAINAGE EASEMENT LOCATED IN BLOCK 7 OF NORTHRIDGE INDUSTRIAL PARK, SECTION 3, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3501 THROUGH 3525 WELLSITE DRIVE)

Ordinance No. O-1213-26 having been Introduced and adopted upon First Reading by title in City Council's meeting of January 22, 2013, Councilmember Kovach moved that Ordinance No. O-1213-26 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-1213-26 dated December 13, 2012, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-26
3. Easement No. E-1213-15 with Exhibit A, Legal Description and Location Map
4. Location map
5. Drawing of North Industrial Park, Section 3
6. Petition to close drainage easement dated November 8, 2012
7. Site plan
8. Utility plan
9. Certificate of Survey with Exhibit A, Legal Description
10. Staff report dated January 10, 2013, recommending approval
11. Pertinent excerpts from Planning Commission minutes of January 10, 2013

Participants in discussion

1. Mr. Tom McCaleb, SMC Consulting Engineers, P.C., 115 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon adopting Ordinance No. O-1213-26 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-1213-26 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-26 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-1213-26 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-1213-26 was adopted upon Final Reading as a whole.

* * * * *

Item 33, being:

MISCELLANEOUS DISCUSSION

Grant for City Wide Wi-Fi. Ms. Ann Gallagher, 1522 East Boyd Street, asked why the City of Norman does not have City-Wide Wi-Fi although she knew it was expensive. She said she had heard there were grants available for this and encouraged staff to look into it. She said the City of Ponca City has this service that was provided via a grant.

*

Water Issues. Ms. Ann Gallagher, 1522 East Boyd Street, said approval of plats is a concern to many citizens during this severe drought. She said maybe Council should consider postponing approval of these types of items until the City is in a better situation.

*

Election Today. Councilmember Williams thanked everyone who voted today, the turnout was not as good as he would have liked.

*

Commending the Police Department. Councilmember Williams said the Police Department had been very busy on Monday, February 11th in Norman. He said there had been a traffic accident with a fatality, fugitives that were captured, and a bank robbery. He said he had the opportunity to hear most of what transpired and was thrilled at how well the situations were handled in a such timely fashion. He said he received several telephone calls about the traffic that had been diverted off of Interstate 35 during the traffic accident which had really affected Ward 8, but assured them the City responded to the situation in a timely fashion. He thanked the Police Chief and all other departments for their efforts. He said to see them work so well with other agencies was impressive.

Councilmember Lockett said she was going to a meeting during all of the activity and had been stopped by the roadblock. She said she was impressed with their professionalism of our Police Department. She said Governor Fallin released the Top 20 Sharpshooters Report for the State of Oklahoma and eight were from Norman and she congratulated them.

Councilmember Castleberry said he was at Whittier Middle School yesterday trying to get inside when the schools were locked down. He said he could not get in and was not allowed to leave the parking lot. He said he was very impressed with the coordination between the Police Department and other law enforcement agencies. He had asked the Police Chief if the Police Department had all the resources needed to handle the situation and was assured that they did. He is proud this city is invested in the Fire and Police Departments and that Norman is a very safe place to live. He thanked the Police Chief for a job well done.

Councilmember Kovach joined his colleagues in expressing his appreciation of the Police Department. He said he was on Interstate 35 for an hour and half while it was shut down. He said the number of officers involved in diverting people off of the interstate and getting everyone through to the right intersection required a lot of coordination.

*

Road Construction in Norman. Councilmember Griffith said the road construction at 12th Avenue N.E. and Robinson Street and Porter Avenue north of Rock Creek Road was creating quite of lot of frustration. He said there had been problems with the subgrade at the Robinson Street and 12th Avenue N.E. intersection which caused delays. He urged citizens to be patient because City Staff is working diligently with the contractors to expedite the completion.

Councilmember Gallagher echoed Councilmember Griffith's comments with the construction. He said Dallas does not do road construction in the daytime, but at night, and thought the City of Norman had never done that. He asked if this had been considered.

Mayor Rosenthal said Secretary Ridley always encourages her to pick up the phone and call him when there are complaints about the progress of a construction project. She said the City should make him aware of these concerns. She felt there will be follow-up with our ODOT partners with respect to these projects.

*

Miscellaneous Discussion, continued:

Daddy-Daughter Dance. Councilmember Spaulding said he attended the Daddy-Daughter Dance on Saturday, February 9, 2013. He said all three dances were sold out and encouraged the City Manager to consider adding a second day to the event because many were unable to attend this very successful event. He said this a very important family event that actually changes lives. He said these young girls will remember these special moments for the rest of their lives. God Bless Norman.

*

Congratulations to Clara Castleberry. Councilmember Castleberry said he wanted to congratulate his niece, Clara Castleberry, an eighth grader at Tulsa Edison, who is a member of the National Championship Pom Squad.

*

Commending City Clerk. Councilmember Castleberry congratulated Ms. Brenda Hall, City Clerk, for her recent certification as a Certified City Clerk. He said she had worked hard for it and those who worked with her every day are not the least bit surprised. He said she was a model City Clerk.

*

Commending City Staff. Councilmember Kovach said the City has excellent Staff in all the departments and are worth the money they are paid.

*

Griffin Dog Park. Councilmember Gallagher said the Griffin Park Dog Park is now open and has been expanded to almost twice its size. He said it is a much nicer, spacious park with park benches.

*

CITY MANAGER'S REPORT

Sales Tax Report . The February Sales Tax Report has been received and levels are up 11.8% over last month. 4.2% in collected sales tax had been budgeted and 3.17% had been received.

Daddy-Daughter Dance The Daddy-Daughter Dance started in 2000 with 250 participants. On February 9th, 3,666 daddy's and daughters attended the event making memories and they used the entire Grand Ballroom at Embassy Suites Hotel during the event.

Upcoming Comprehensive Transportation Plan Meetings. Last week was the beginning of the Comprehensive Transportation Plan citizens participation process. The next meetings will be held Monday, February 18th to discuss existing conditions and needs; Monday, February 25th to discuss improvement concepts; Thursday, April 25th to assess potential projects; and Thursday, May 23rd to discuss policies and programs. Interested citizens are urged to attend these meetings.

Legacy Trail Extension. The Oklahoma Department of Transportation had just given approval to start the bidding process for the southern link to the Legacy Trail Extension. This section will be from Duffy Street to Boyd Street and will include a four-foot sidewalk and some driveway approaches. There will be a ten-foot portion of Legacy Trail on Duffy Street from Jenkins Avenue to Asp Avenue. This extension will effectively provide the connection to the University. Going north, the Legacy Trail will eventually connect at Tecumseh Road and travel up 36th Avenue N.W. to Ruby Grant Park.

* * * * *

Item 34, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(1) IN ORDER TO EVALUATE THE CITY MANAGER AS REQUIRED BY SECTION 5(A) OF CONTRACT NO. K-0708-32.

Councilmember Kovach moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to evaluate the performance of the City Manager as required by Section 5(a) of Contract No. K-0708-32, which motion was duly seconded by Councilmember Griffith; and the question being upon adjourning out of the City Council meeting and convening into an Executive Session in order to evaluate the performance of the City Manager as required by Section 5(a) of Contract No. K-0708-32, 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 City Council meeting adjourned out of and an Executive Session was convened into in order to evaluate the performance of the City Manager as required by Section 5(a) of Contract No. K-0708-32.

The City Council adjourned into Executive Session at 9:07 p.m. Mr. Steve Lewis, City Manager, was in attendance at the Executive Session.

Thereupon, Councilmember Griffith moved that Executive Session be adjourned out of and the Council meeting be reconvened, which motion was duly seconded by Councilmember Kovach; and the question being upon adjourning out of Executive Session and upon the subsequent reconvening, 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 Executive Session adjourned out of; and the Council meeting was reconvened at 11:13 p.m.

The Mayor said the performance of the City Manager as required by Section 5(a) of Contract No. K-0708-32 was discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

ADJOURNMENT

There being no further business, Councilmember Griffith moved that the meeting be adjourned, which motion was duly seconded by Councilmember Kovach 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 11:14 p.m.

ATTEST:

City Clerk

Mayor