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

April 23, 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 23rd day of April, 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 from Wilson Elementary School.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF MARCH 7, 2013
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF MARCH 11, 2013
CITY COUNCIL CANDIDATE FORUM MINUTES OF MARCH 18, 2013
CITY COUNCIL STUDY SESSION MINUTES OF MARCH 19, 2013
CITY COUNCIL CONFERENCE MINUTES OF MARCH 26, 2013
CITY COUNCIL MINUTES OF APRIL 9, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 9, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 9, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 9, 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-1213-72 dated April 11, 2013, by Brenda Hall, City Clerk
2. City Council Business and Community Affairs Committee minutes of March 7, 2013
3. City Council Community Planning and Transportation Committee minutes of March 11, 2013
4. City Council Candidate Forum minutes of March 18, 2013
5. City Council Study Session minutes of March 19, 2013
6. City Council Conference minutes of March 26, 2013
7. City Council minutes of April 9, 2013
8. Norman Utilities Authority minutes of April 9, 2013
9. Norman Municipal Authority minutes of April 9, 2013
10. Norman Tax Increment Finance Authority minutes of April 9, 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.

* * * * *

Item 4, being:

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

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

Items submitted for the record
1. Text File No. GID-1213-71 dated April 11, 2013, by Carol Coles, Administrative Assistant

Participants in discussion
1. Mayor Rosenthal and Councilmember Jungman presented Citizenship Awards to students Serenity Allcom, Alden Berryhill, Carter Chase, Kelsey Chase, Shelby Chase, Jacob Cheatwood, Madison Cheatwood, Jordan Childers, Jermey Davis, Linden Humphrey, Lanie Jay, Zayden Miller, Audrey Price, and Rachel Price
2. Mr. Chris Crelia, Principal of Wilson Elementary School, said these students were selected as representatives of good citizens of Wilson Elementary School

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

* * * * *

With concurrence of Council, Mayor Rosenthal said Item 8 will be considered before Item 5.

* * * * *

Item 8, being:

PROCLAMATION NO. P-1213-22: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2013, AS AUTISM AWARENESS MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-22 proclaiming the month of April, 2013, as Autism Awareness Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1213-22 dated April 16, 2013, by Brenda Hall, City Clerk
2. Proclamation No. P-1213-22

Participants in discussion
1. Ms. Deborah Decker, Autism Oklahoma, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-22 proclaiming the month of April, 2013, as Autism Awareness Month in the City of Norman 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 Proclamation No. P-1213-22 proclaiming the month of April, 2013, as Autism Awareness Month in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 5, being:

PROCLAMATION NO. P-1213-19: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 22 THROUGH 26, 2013, AS COMMUNITY DEVELOPMENT WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-19 proclaiming the week of April 22 through 26, 2013, as Community Development Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1213-19 dated April 8, 2013, by Linda Price, Revitalization Manager
2. Proclamation No. P-1213-19

Participants in discussion
1. Ms. Linda Price, Revitalization Manager, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-19 proclaiming the week of April 22 through 26, 2013, as Community Development Week in the City of Norman 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 Proclamation No. P-1213-19 proclaiming the week of April 22 through 26, 2013, as Community Development Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 6, being:

PROCLAMATION NO. P-1213-20: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, APRIL 27, 2013, AS NORMAN MUSIC FESTIVAL DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-20 proclaiming Saturday, April 27, 2013, as Norman Music Festival Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1213-20 dated April 9, 2013, by Brenda Hall, City Clerk
2. Proclamation No. P-1213-20

Participants in discussion
1. Mr. Kent Johnson, Norman Music Festival Chair, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-20 proclaiming Saturday, April 27, 2013, as Norman Music Festival Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and receipt of Proclamation No. P-1213-20 proclaiming Saturday, April 27, 2013, as Norman Music Festival Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 7, being:

PROCLAMATION NO. P-1213-21: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 29 THROUGH MAY 5, 2013, AS MAY FAIR WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-21 proclaiming the week of April 29 through May 5, 2013, as May Fair Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1213-21 dated April 10, 2013, by Brenda Hall, City Clerk
2. Proclamation No. P-1213-21

Participants in discussion
1. Ms. Laura Cooper, May Fair Chair, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-21 proclaiming the week of April 29 through May 5, 2013, as May Fair Week in the City of Norman 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 Proclamation No. P-1213-21 proclaiming the week of April 29 through May 5, 2013, as May Fair Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

With concurrence of Council, Mayor Rosenthal said Item 8 was be considered before Item 5.

* * * * *

Item 9, being:

CONSENT DOCKET

Councilmember Kovach that Item 10 through Item 35 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 10 through Item 35, 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 10 through Item 35 were placed on the consent docket by unanimous vote.

* * * * *

Item 10, being:

CONSIDERATION OF ORDINANCE NO. O-1213-43 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE V, CHAPTER 20 OF THE CODE OF THE CITY OF NORMAN BY AMENDING SECTION 20-541 WHICH CLARIFIES WHERE U-TURNS ARE ALLOWED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-43 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-1213-43 dated April 3, 2013, by Angelo Lombardo, Traffic Engineer
2. Ordinance No. O-1213-43
3. Legislatively notated copy of Ordinance No. O-1213-43

and the question being upon the Introduction and adoption of Ordinance No. O-1213-43 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-1213-43 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 11, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MARCH 31, 2013, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record
1. Text File No. RPT-1213-50 dated April 9, 2013, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report of March 31, 2013

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.

* * * * *

Item 12, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MARCH, 2013, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record
1. Text File No. RPT-1213-51 dated April 9, 2012, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of April, 2013

Item 12, continued:

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

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

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

* * * * *

Item 13, being:

SUBMISSION OF THE MUNICIPAL ELECTION REPORT FROM THE NORMAN ELECTION COMMISSION.

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

Items submitted for the record

1. Text File No. RPT-1213-52 dated April 9, 2012, by Brenda Hall, City Clerk
2. Norman Election Commission General Election Report dated April 15, 2013, with Attachment No. One, memorandum dated April 8, 2013, from Kristina L. Bell, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to Norman Election Commission with Exhibit No. One, mailers distributed by Better Norman Advocates, Inc.; Attachment No Two, email dated April 1, 2013, from Brenda Hall, to Jeff Bryant and Kristina Bell; and Attachment No. Three, complaint filed April 8, 2013, from Mary Francis including petition containing 63 signatures
3. Norman Election Commission minutes of January 7, March 25, April 1, and April 8, 2013

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.

* * * * *

Item 14, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-68, APPROVAL OF CONTRACT NO. K-1213-184 WITH RDNJ, INC., D/B/A A-TECH PAVING IN THE AMOUNT OF $316,830.25; PERFORMANCE BOND NO. B-1213-80; STATUTORY BOND NO. B-1213-81, MAINTENANCE BOND NO. MB-1213-70 AND RESOLUTION NO. R-1213-119 FOR THE LEGACY TRAIL SOUTH EXTENSION CONSTRUCTION PROJECT.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-68 in the amount of $316,830.25 from RDNJ, Inc., d/b/a A-Tech Paving for the Legacy Trail South Extension Construction Project be accepted; Contract No. K-1213-184 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution No. R-1213-119 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 14, continued:

Items submitted for the record

1. Text File No. K-1213-184 dated April 9, 2012, by James Briggs, Park Planner
2. Bid Record dated February 28, 2013, for Legacy Trail South Extension
3. Contract No. K-1213-184
4. Performance Bond No. B-1213-80
5. Statutory Bond No. B-1214-81
6. Maintenance Bond No. MB-1213-70
7. Resolution No. R-1213-119
8. Location map
9. Purchase Requisition No. 0000215567 dated April 11, 2013, in the amount of $316,930.25 to RDNJ, Inc.

and the question being upon accepting Request for Proposal No. RFP-1213-68 in the amount of $316,830.25 from RDNJ, Inc., d/b/a A-Tech Paving for the Legacy Trail South Extension Construction 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-1213-68 in the amount of $316,830.25 from RDNJ, Inc., d/b/a A-Tech Paving for the Legacy Trail South Extension Construction Project accepted; Contract No. K-1213-184 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-119 was adopted.

* * * * *

Item 15, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-69 FROM BKD, L.L.P., IN THE AMOUNT OF $89,780 FOR PROFESSIONAL AUDITING SERVICES FOR THE CITY OF NORMAN AND RELATED TRUSTS.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-69 from BKD, L.L.P., in the amount of $89,780 for professional auditing services for the Finance Department be accepted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. RFP-1213-69 dated April 11, 2013, by Clint Mercer, Chief Accountant
2. Request for Proposal Mailing List and Responses for Auditing Services
3. Scoring Criteria
4. Sealed Dollar Cost Proposal submitted by BKD, L.L.P., on March 21, 2013
5. Proposal for Auditing Services submitted by BKD, L.L.P. on March 21, 2013

and the question being upon accepting Request for Proposal No. RFP-1213-69 from BKD, L.L.P., in the amount of $89,780 for professional auditing services for the Finance Department, 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-1213-69 from BKD, L.L.P., in the amount of $89,780 for professional auditing services for the Finance Department was accepted.

* * * * *

Item 16, being:

CONSIDERATION OF AWARDING OF BID NO. 1213-70, APPROVAL OF CONTRACT NO. K-1213-186 WITH IPS GROUP, INC., IN THE AMOUNT OF $126,615; PERFORMANCE BOND NO. B-1213-82; STATUTORY BOND NO. B-1213-83; AND MAINTENANCE BOND NO. MB-1213-72 FOR AN AUTOMATED PARKING SYSTEM FOR CAMPUS CORNER PUBLIC PARKING.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $126,615 be awarded to IPS Group, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-186 be approved; and the Mayor be authorized to execute the contract and sign Performance Bond No. B-1213-82, Statutory Bond No. B-1213-83, and Maintenance Bond No. MB-1213-72 contingent upon the City Attorney's approval, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-186 dated April 3, 2013, by David Riesland, Assistant Traffic Engineer
2. Summary of Bidders dated March 14, 2013, for Complete Revenue Control System for Campus Corner Public Parking
3. Summary of Single-Space Meter Bids
4. Summary of Multi-Space Meter Bids
5. Location map
6. Contract No. K-1213-186
7. Performance Bond No. B-1213-82
8. Statutory Bond No. B-1213-83
9. Maintenance Bond No. MB-1213-72
10. Proposal dated March 13, 2013, in the amount of $126,615 from IPS Group, Inc..
11. Purchase Requisition No. 0000215063 dated March 29, 2013, in the amount of $126,615 to IPS Group, Inc.

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval 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 Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $126,615 was awarded to IPS Group, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-186 was approved; and the Mayor was authorized to execute the contract and sign Performance Bond No. B-1213-82, Statutory Bond No. B-1213-83, and Maintenance Bond No. MB-1213-72 contingent upon the City Attorney's approval.

* * * * *

Item 17, being:

AUTHORIZATION FOR EMERGENCY REPAIRS TO THE TRAFFIC SIGNAL AT THE INTERSECTION OF CLASSEN BOULEVARD AND BOYD STREET BY TRAFFIC SIGNALS, INC., IN THE AMOUNT OF $30,670 AND BUDGET APPROPRIATION.

Councilmember Kovach moved that authorization for emergency repairs to the traffic signal at the intersection of Classen Boulevard and Boyd Street by Traffic Signals, Inc., in the amount of $30,670 be approved; $30,670 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Traffic Signal Parts (010-5023-429.32-12); and payment in the amount of $30,670 be directed to Traffic Signal, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-70 dated April 4, 2013, by David Riesland, Assistant Traffic Engineer
2. Summary of work to be performed
3. Tabulation of Quotes dated April 1, 2013
4. Location map
5. Photograph of damaged traffic signal conduit, pull box and wiring
6. Purchase Requisition No. 0000215180 dated April 2, 2013, in the amount of $30,670 to Traffic Signals, Inc.

Item 17, continued:

and the question being upon approving authorization for emergency repairs to the traffic signal at the intersection of Classen Boulevard and Boyd Street by Traffic Signals, Inc., in the amount of $30,670, and upon the subsequent appropriation 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 authorization for emergency repairs to the traffic signal at the intersection of Classen Boulevard and Boyd Street by Traffic Signals, Inc., in the amount of $30,670 approved; $30,670 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Traffic Signal Parts (010-5023-429.32-12) and payment in the amount of $30,670 was directed to Traffic Signal, Inc.

* * * * *

Item 18, being:

CONSIDERATION OF RATIFICATION OF A DECLARATION OF EMERGENCY FOR SEWER REPAIRS NEAR BENT OAKS CIRCLE IN THE AMOUNT OF $48,625 TO URBAN CONTRACTORS, LLC.

Acting as the Norman Utilities Authority, Trustee Kovach moved that ratification of the declaration of an emergency be approved and payment in the amount of $48,625 be directed to Urban Contractors, L.L.C., which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. GID-1213-75 dated April 12, 2013, by Charlie Thomas, Capital Projects Engineer
2. Memorandum dated April 10, 2013, from Ken Mowdy, Utilities Inspector, through Ken Komiske, Director of Utilities, to Steve Lewis, City Manager
3. Location map

and the question being upon approving ratification of the declaration of an emergency and upon the subsequent 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 ratification of the declaration of an emergency approved; and payment in the amount of $48,625 was directed to Urban Contractors, L.L.C.

* * * * *

Item 19, being:

CONSIDERATION OF RATIFICATION OF A DECLARATION OF EMERGENCY FOR SEWER REPAIRS ALONG CHUKKAR COURT IN THE AMOUNT OF $27,000 TO JORDAN CONTRACTORS, INC.

Acting as the Norman Utilities Authority, Trustee Kovach moved that ratification of the declaration of an emergency be approved and payment in the amount of $27,000 be directed to Jordan Contractors, Inc., which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. GID-1213-76 dated April 15, 2013, by Charlie Thomas, Capital Projects Engineer
2. Memorandum dated April 10, 2013, from Ken Mowdy, Utilities Inspector, through Ken Komiske, Director of Utilities, to Steve Lewis, City Manager
3. Location map

Item 19, continued:

and the question being upon approving ratification of the declaration of an emergency and upon the subsequent 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 ratification of the declaration of an emergency approved; and payment in the amount of $27,000 was directed to Jordan Contractors, Inc.

* * * * *

Item 20, being:

CONSIDERATION OF A FINAL PLAT FOR BROOKHAVEN NO. 41 ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN AND APPROVAL OF DEFERRED PAVING, DRAINAGE, AND SIDEWALK IMPROVEMENTS FOR WEST ROCK CREEK ROAD. (LOCATED ON THE SOUTH SIDE OF WEST ROCK CREEK ROAD APPROXIMATELY ONE-FOURTH MILE WEST OF 36TH AVENUE N.W.)

Councilmember Kovach moved that the final plat for Brookhaven No. 41 Addition and deferral of paving, drainage, and sidewalk improvements for West Rock Creek Road 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 Certificate of Deposit in the amount of $158,289.50 for deferral of paving, drainage, and sidewalks for West Rock Creek Road within ten (10) days; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1213-10 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. Memorandum dated October 2, 2012, from Shawn O'Leary, Director of Public Works, to Andy Sherrer, Chairman Planning Commission
6. Engineer's Paving Cost Estimate dated March 27, 2013, in the amount of $158,289.50 from Phil G. Clour, P.E., L.S., Clour Engineering and Planning Services
7. Revised preliminary plat
8. Pertinent excerpts from Planning Commission minutes of October 11, 2012

and the question being upon approving final plat for Brookhaven No. 41 Addition and deferral of paving, drainage, and sidewalk improvements for West Rock Creek Road 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 final plat for Brookhaven No. 41 Addition and deferral of paving, drainage, and sidewalk improvements for West Rock Creek Road 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 Certificate of Deposit in the amount of $158,289.50 for deferral of paving, drainage, and sidewalks for West Rock Creek Road within ten (10) days; and the filing of the final plat was directed.

* * * * *

Item 21, being:

CONSIDERATION OF APPROVAL OF A REVOCABLE LICENSE TO FIRST BAPTIST CHURCH TO OCCUPY STREET RIGHT-OF-WAY FOR PLACEMENT OF A NEW STAIRCASE AND ENTRANCE ALONG COMANCHE STREET FOR AN FEE OF $952 PER YEAR.

Councilmember Kovach moved that a Revocable License to First Baptist Church to occupy street right-of-way for placement of a staircase and entrance along East Comanche Street in the amount of $952 per year be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1213-74 dated April 15, 2013, by Leah Messner, Assistant City Attorney
2. Revocable License
3. Location map

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

and the question being upon approving a Revocable License to First Baptist Church to occupy street right-of-way for placement of a staircase and entrance along East Comanche Street in the amount of $952 per year, 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 Revocable License to First Baptist Church to occupy street right-of-way for placement of a staircase and entrance along East Comanche Street in the amount of $952 per year was approved.

* * * * *

Item 22, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1213-10 FOR LOTS 4 AND 5, BLOCK 1, EMPIRE ADDITION, A REPLAT OF MALONE ADDITION, CLEVELAND COUNTY, OKLAHOMA. (3024 SOUTH CLASSEN BLVD)

Councilmember Kovach moved that Consent to Encroachment No. EN-1213-10 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-1213-10 dated April 9, 2013, by Leah Messner, Assistant City Attorney
2. Memorandum dated March 11, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; Ken Komiske, Director of Utilities; and Jane Hudson, Principal Planner
3. Consent to Encroachment No. EN-1213-10
4. Letter of request dated March 8, 2013, from Bruce Edwards, Dalmarc Enterprises, Inc., to Jim Speck, City of Norman
5. Site plan
6. Location map
7. Legal Description
8. Schematic drawing of proposed pole sign
9. Location of utility easement
10. Consent to Encroachment No. EN-1213-10
11. Memorandum dated April 4, 2013, from Ken Danner, Subdivision Development Manager, to Leah Messner, Assistant City Attorney
12. Memorandum dated April 1, 2013, from Jane Hudson, Principal Planner, to Leah Messner, Assistant City Attorney
13. Memorandum dated April 4, 2013, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
14. Letter dated November 28, 2012, from Matt Beller, Field Specialist, Oklahoma Natural Gas, a Division of ONEOK, to Mr. Travis J. Bousquet, P.E., the Bousquet Group, Inc.

Item 22, continued:

Items submitted for the record, continued

15. Letter dated September 27, 2012, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Travis J. Bousquet, P.E., the Bousquet Group, Inc.
16. Letter dated September 27, 2012, from Jodie Finney, Construction Service Support Specialist II, Cox Communications, Inc., to Travis J. Bousquet, P.E., the Bousquet Group, Inc.
17. Letter dated October 4, 2012, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Travis J. Bousquet, P.E., the Bousquet Group, Inc.
18. Letter dated November 28, 2012, from Terri Hayes, Manager/OSP Planning and Design, Norman and Noble Wire Centers, AT&T, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. EN-1213-10 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-1213-10 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 23, being:

LIMITED LICENSE NO. LL-1213-10: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FRIENDS OF THE NORMAN LIBRARY FOR THE BETTER BOOKS SALE TO BE HELD MAY 3, 4, AND 5, 2013.

Councilmember Kovach moved that Limited License No. LL-1213-10 to place four (4) signs within the public rights-of-way pursuant to a request from Friends of the Norman Library be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. LL-1213-10 dated April 9, 2013, by Wayne Stenis, Planner II
2. Letter of request dated April 1, 2013, from Simon H. Rudnick, 2013 Friends of the Norman Library Book Sale Co-Chair, to Brenda Hall, City Clerk
3. Location map
4. Application for Limited License for four signs dated April 1, 2013, from the Friends of the Norman Library
5. Limited License No. LL-1213-10

and the question being upon approving Limited License No. LL-1213-10 to place four (4) signs within the public rights-of-way pursuant to a request from Friends of the Norman Library 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 Limited License No. LL-1213-10 to place four (4) signs within the public rights-of-way pursuant to a request from Friends of the Norman Library approved; and the issuance thereof was authorized.

* * * * *

Item 24, being:

CONSIDERATION OF THE DECLARATION OF TWENTY-FIVE (25) USED BODY ARMOR PANELS FROM THE POLICE DEPARTMENT AS SURPLUS AND/OR OBSOLETE AND AUTHORIZATION OF THE DONATION THEREOF TO THE CLEVELAND COUNTY SHERIFF'S OFFICE AND THE COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING (CLEET).

Councilmember Kovach moved that twenty-five (25) used body armor panels be declared to be surplus/obsolete and the donation thereof to the Cleveland County Sheriff's Department and the Council on Law Enforcement and Education and Training be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1213-59 dated March 29, 2013, by Captain Mike Praizner

and the question being upon declaring twenty-five (25) used body armor panels to be surplus/obsolete and upon the subsequent donation, 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 twenty-five (25) used body armor panels were declared to be surplus/obsolete; and the donation thereof to the Cleveland County Sheriff's Department and the Council on Law Enforcement and Education and Training was authorized.

* * * * *

Item 25, being:

CONSIDERATION OF SUBMISSION OF THE CERTIFIED LOCAL GOVERNMENTS (CLG) PROGRAM 2013 APPLICATION FOR FUNDING IN THE AMOUNT OF $10,200 TO BE SUBMITTED TO THE OKLAHOMA STATE HISTORIC PRESERVATION OFFICE.

Councilmember Kovach moved that the proposed Certified Local Governments 2013 Application for Funding in the amount of $10,200 be approved, the submission thereof to the Oklahoma State Historic Preservation Office be directed, and the Mayor be authorized to sign additional supporting documentation related to the CLG Grant, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1213-69 dated April 8, 2013, by Susan Atkinson, Historic Preservation Officer
2. Certified Local Governments Fund Application and Instructions, Fiscal Year 2013

and the question being upon approving the proposed Certified Local Governments 2013 Application for Funding in the amount of $10,200 and upon the subsequent directive 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 Mayor declared the motion carried and the proposed Certified Local Governments 2013 Application for Funding in the amount of $10,200 approved; the submission thereof to the Oklahoma State Historic Preservation Office was directed and the Mayor was authorized to sign additional documentation related to the CLG grant application for funding.

* * * * *

Item 26, being:

AMENDMENT NO. FIVE TO CONTRACT NO. K-0708-114: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY EXTENDING THE CONTRACT UNTIL APRIL 22, 2014, FOR THE LEASE OF PROPERTY LOCATED AT THE WEST ENTRANCE OF THE CLEVELAND COUNTY FAIRGROUNDS ON PORTER AVENUE NORTH OF ROBINSON STREET TO BE USED AS A DROP OFF RECYCLING CENTER.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Amendment No. Five to Contract No. K-0708-114 with Board of County Commissioners for Cleveland County extending the contract until April 22, 2014, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. K-0708-114, Amendment No. Five, dated March 27, 2013, by Scottie Williams, Sanitation Superintendent
2. Amendment No. Five to Contract No. K-0708-114

Participants in discussion
1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving Amendment No. Five to Contract No. K-0708-114 with Board of County Commissioners for Cleveland County extending the contract until April 22, 2014, 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. Five to Contract No. K-0708-114 with Board of County Commissioners for Cleveland County extending the contract until April 22, 2013, approved; and the execution thereof was authorized.

* * * * *

Item 27, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-1011-50: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGING SERVICES, INC. INCREASING THE CONTRACT AMOUNT BY $3,800 FOR THE CONTINUED OPERATION OF THE KIWANIS KRUISER AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Amendment No. One to Contract No. K-1011-50 with Aging Services, Inc., increasing the contract amount by $3,800 be approved, the execution thereof be authorized, and $3,800 be appropriated from the General Fund Balance (010-0000-253.20-00) to Contributions - Organizations (010-1087-411.47-41), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1011-50, Amendment No. One, dated April 4, 2013, by Clint Mercer, Chief Accountant
2. Letter of request dated March 7, 2013, from Kathleen Wilson, Executive Director, Aging Services, Inc., to Norman City Council
3. Amendment No. One to Contract No. K-1011-50
4. Contract No. K-1011-50
5. Pertinent Excerpts from City Council Finance Committee minutes of February 20, 2013

Item 27, continued:

and the question being upon approving Amendment No. One to Contract No. K-1011-50 with Aging Services, Inc., increasing the contract amount by $3,800 and upon the subsequent authorization 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 Councilmember declared the motion carried and Amendment No. One to Contract No. K-1011-50 with Aging Services, Inc., increasing the contract amount by $3,800 approved; the execution thereof was authorized and $3,800 was appropriated from the General Fund Balance (010-0000-253.20-00) to Contributions - Organizations (010-1087-411.47-41).

* * * * *

Item 28, being:

CONTRACT NO. K-1213-171: A CONTRACT BY AND BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY AND SMC CONSULTING ENGINEERS, P.C., IN AN AMOUNT NOT-TO-EXCEED $159,000 TO PROVIDE A COMPREHENSIVE TRAFFIC STUDY AND ENGINEERING DESIGN SERVICES FOR THE CONSTRUCTION OF INTERSTATE 35 EAST FRONTAGE ROAD FROM JUST SOUTH OF ROCK CREEK ROAD CONTINUING NORTH AND THEN EAST ENDING AT 24TH AVENUE N.W. IN UNIVERSITY NORTH PARK.

Acting as the Norman Tax Increment Finance Authority, Trustee Kovach moved that Contract No. K-1213-171 with SMC Consulting Engineers, P.C., in the amount of $159,000 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1213-171 dated February 25, 2013, by John Clink, Capital Projects Engineer
2. Contract No. K-1213-171 with Attachment "A," Scope of Services and Consultant's Project Understanding; Attachment "B," Project Schedule; Attachment "C," Summary Breakdown of Engineering Fees; and Attachment "D," Owner's Responsibilities
3. Location map

Participants in discussion

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

and the question being upon approving Contract No. K-1213-171 with SMC Consulting Engineers, P.C., in the amount of $159,000 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 Contract No. K-1213-171 with SMC Consulting Engineers, P.C., in the amount of $159,000 approved; and the execution thereof was authorized.

* * * * *

Item 29, being:

CONTRACT NO. K-1213-182: PROJECT AGREEMENT NO. 09031(11) BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR CONSTRUCTION AND RECONSTRUCTION OF THE STORM DRAINAGE DIVERSION STRUCTURE AT INTERSTATE 35 AND HIGHWAY NINE WITH THE CITY'S SHARE OF THE PROJECT BEING $1,509,600; ADOPTION OF RESOLUTION NO. R-1213-117, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1213-182 with ODOT be approved, Resolution No. R-1213-117 be adopted, the execution of the contract and resolution be authorized, and $1,509,600 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BP0189, Lindsey St, 24th SW to E. Berry, Construction (050-9552-431.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-182 dated April 4, 2013, by John Clink, Capital Projects Engineer
2. Contract No. K-1213-182
3. Resolution No. R-1213-117
4. Location maps

and the question being upon approving Contract No. K-1213-182 with ODOT and upon the subsequent adoption, authorization, 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 Contract No. K-1213-182 with ODOT approved; Resolution No. R-1213-117 was adopted, execution of the he contract and resolution were authorized, and $1,509,600 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BP0189, Lindsey St, 24th SW to E. Berry, Construction (050-9552-431.61-01).

* * * * *

Item 30, being:

CONTRACT NO. K-1213-183: 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 FEDERAL-AID PROJECT NO. STP-214C (011)AG, STATE JOB NO. 29261(04) FOR THE CONSTRUCTION OF CEDAR LANE ROAD FROM 12TH AVENUE S.E. TO ONE-HALF MILE EAST OF 24TH AVENUE S.E. AND RESOLUTION NO. R-1213-118.

Councilmember Kovach moved that Contract No. K-1213-183 with ODOT be approved, Resolution No. R-1213-118 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-1213-183 dated April 4, 2013, by Josh Malwick, Capital Projects Engineer
2. Contract No. K-1213-183
3. Resolution No. R-1213-118
4. Location map

and the question being upon approving Contract No. K-1213-183 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 Mayor declared the motion carried and Contract No. K-1213-183 with ODOT approved; Resolution No. R-1213-118 was adopted and the execution of the contract and resolution was authorized.

* * * * *

Item 31, being:

CONTRACT NO. K-1213-185: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR FEDERAL-AID PROJECT NO. STPG-214E(018)AG, STATE JOB NO. 29301(04) FOR THE TRAFFIC SIGNAL VIDEO DETECTION UPGRADE PROJECT AND ADOPTION OF RESOLUTION NO. R-1213-121.

Councilmember Kovach moved that Contract No. K-1213-185 with ODOT be approved, Resolution No. R-1213-121 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-1213-185 dated April 3, 2013, by Angelo Lombardo, Transportation Engineer
2. Contract No. K-1213-185
3. Resolution No. R-1213-121
4. Location map

and the question being upon approving Contract No. K-1213-185 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 Mayor declared the motion carried and Contract No. K-1213-185 with ODOT approved; Resolution No. R-1213-121 was adopted and the execution of the contract and resolution was authorized.

* * * * *

Item 32, being:

CONTRACT NO. K-1213-187: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CHARLES GROOMS D/B/A COMPLETE LAWN MAINTENANCE FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE REVITALIZATION DIVISION THROUGH MARCH 31, 2014.

Councilmember Kovach moved that Contract No. K-1213-187 with Charles Grooms d/b/a Complete Lawn Maintenance through March 31, 2014, 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-1213-187 dated April 8, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1213-187

and the question being upon approving Contract No. K-1213-187 with Charles Grooms d/b/a Complete Lawn Maintenance through March 31, 2014, 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-1213-187 with Charles Grooms d/b/a Complete Lawn Maintenance through March 31, 2014, adopted, and the execution thereof was authorized.

* * * * *

Item 33, being:

CONTRACT NO. K-1213-188: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PLAINS PIPELINE, L.P. IN AN AMOUNT NOT TO EXCEED $131,543.07 TO RELOCATE A PIPELINE FOR THE CEDAR LANE WIDENING PROJECT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1213-188 with Plains Pipeline, L.P., in an amount not-to-exceed $131,543.07, the execution thereof be authorized, and $131,543.07 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BP0196, Cedar Lane Widening Project, Right-of-Way (050-9079-431.67-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-188 dated April 16, 2013, by Josh Malwick, Capital Projects Engineer
2. Contract No. K-1213-188 with Exhibit A, Project Description, and Exhibit B, Estimated Cost to Requestor for Plains Work
3. Location map

and the question being upon approving Contract No. K-1213-188 with Plains Pipeline, L.P., in an amount not-to-exceed $131,543.07 and upon the subsequent authorization 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 Contract No. K-1213-188 with Plains Pipeline, L.P., in an amount not-to-exceed $131,543.07 approved; the execution thereof resolution was authorized and $131,543.07 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. BP0196, Cedar Lane Widening Project, Right-of-Way (050-9079-431.67-01)

* * * * *

Item 34, being:

RESOLUTION NO. R-1213-125: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA. TRANSFERRING $35,000 FROM THE 12TH AVENUE S.E. AND CEDAR LANE PROJECT ACCOUNT TO REPLACE HEATING AND AIR CONDITIONING (HVAC) UNITS AT THE SENIOR CENTER, REAVES CENTER, AND THE FIREHOUSE ARTS CENTER.

Councilmember Kovach moved that Resolution No. R-1213-125 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-125 dated April 11, 2013, by Brenda Hall, City Clerk
2. Resolution No. R-1213-125

and the question being upon adopting Resolution No. R-1213-125, 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-1213-125 was adopted.

* * * * *

Item 35, being:

RESOLUTION NO. R-1213-126: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $51,479.58 FROM THE CAPITAL FUND BALANCE TO PROVIDE ADDITIONAL FUNDS TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION TO COVER THE LOCAL SHARE OF THE PAVEMENT OVERLAY PROJECT ON SEGMENTS OF TECUMSEH ROAD, 24TH AVENUE N.W. AND WEST LINDSEY STREET.

Councilmember Kovach moved that Resolution No. R-1213-126 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-126 dated April 4, 2013, by David Riesland, Assistant Traffic Engineer
2. Resolution No. R-1213-126
3. Table No. One, Summary of Federal, City and Total Cost, Resurfacing Project, Tecumseh Road, West Lindsey Street, and 24th Avenue N.W.
4. Oklahoma Department of Transportation Tabulation of Bids dated February 21, 2013, for Resurfacing City of Norman Streets, Tecumseh Road, 24th Avenue N.W., and Lindsey Street
5. Invoice No. 29009(04)-2 in the amount of $51,479.58 from the Oklahoma Department of Transportation to City of Norman
6. Location maps

and the question being upon adopting Resolution No. R-1213-126, 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-1213-126 was adopted.

* * * * *

Councilmember Jungman asked that he be allowed to abstain from voting on Item 36 due to a conflict of interest. Thereupon, Councilmember Gallagher moved that Councilmember Jungman be allowed to abstain from voting on Item 36 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 36 due to a conflict of interest, 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 Councilmember Jungman was allowed to abstain from voting on Item 36 due to a conflict of interest.

* * * * *

Item 36, being:

PUBLIC HEARING REGARDING THE PROPOSED THIRTY-NINTH YEAR NORMAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION AND THE 2013 HOME PROGRAM TOTALING $1,118,438 TO BE SUBMITTED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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. GID-1213-66 dated April 8, 2013, by Linda Price, Revitalization Manager
2. Annual Action Plan and Narrative Responses from the United States Department of Housing and Urban Development
3. 2013 Community Development Block Grant and 2013 HOME Investment Partnerships Budget

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

Thereupon, the following persons addressed City Council:

Participants in discussion
1. Ms. Linda Price, Revitalization Manager
2. Ms. Ann Way, Co-Chair, CDBG Policy Committee

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, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal |
| NAYES: | None |
| ABSTAIN: | Councilmember Jungman |

The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Kovach moved that recommendations regarding the proposed Thirty-Ninth Year CDBG Application and the 2013 HOME Program totaling $1,118,438 be approved and the submission thereof be directed to the United States Department of Housing and Urban Development, which motion was duly seconded by Councilmember Griffith; and the question being upon approving recommendations regarding the proposed Thirty-Ninth Year CDBG Application and the 2013 HOME Program totaling $1,118,438 and upon the subsequent directive, 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 recommendations regarding the proposed the Thirty-Ninth Year CDBG Application and the 2013 HOME Program totaling $1,118,438 approved; and the submission thereof was directed to the United States Department of Housing and Urban Development.

* * * * *

Item 37, being:

CONSIDERATION OF ORDINANCE NO. O-1213-36 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 LOTS 17, 18 AND 19, BLOCK 26, NORMAN ORIGINAL TOWNSITE, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE C-3, INTENSIVE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (420 SOUTH PORTER AVENUE)

Ordinance No. O-1213-36 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 9, 2013, Councilmember Kovach moved that Ordinance No. O-1213-36 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-1213-36 dated February 12, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-36
3. Location map
4. Staff Report dated March 14, 2013, recommending approval
5. Site plan
6. Protest received March 13, 2013, from Sherry Hollingsworth to Planning Commission and Councilmember Greg Jungman
7. Pertinent excerpts from Planning Commission minutes of March 14, 2013

Participants in discussion

1. Mr. Chris Womack, 420 South Porter Avenue, applicant
2. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Ordinance No. O-1213-36 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1213-36 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-36 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-1213-36 upon Final Reading as a whole, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1213-36 was adopted upon Final Reading as a whole.

* * * * *

Item 38, being:

CONSIDERATION OF ORDINANCE NO. O-1112-36 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 SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Ordinance No. O-1112-36 was withdrawn at the applicant's request.

* * * * *

Item 39, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ROSE ROCK ADDITION. A PLANNED UNIT DEVELOPMENT. (LOCATED AT 1515 WEST MAIN STREET)

The preliminary plat for Rose Rock Addition, a Planned Unit Development, was withdrawn at the applicant's request.

* * * * *

Item 40, being:

CONSIDERATION OF ORDINANCE NO. O-1213-39 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING, REPEALING AND REPLACING APPENDIX F OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN IN ORDER TO RECOMMEND PLANT SPECIES THAT ARE DROUGHT TOLERANT OR NATIVE TO OKLAHOMA FOR INSTALLATION IN DEVELOPMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1213-39 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 9, 2013, Councilmember Kovach moved that Ordinance No. O-1213-39 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-1213-39 dated February 19, 2013, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1213-39
3. Legislatively notated copy of Ordinance No. O-1213-39
4. Staff Report dated March 14, 2013, recommending approval
5. Resolution No. R-1213-99
6. Pertinent excerpts from Planning Commission minutes of March 14, 2013

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Ms. Joy Hampton, The Norman Transcript, 215 East Comanche Street, asked questions
3. Mr. Steve Lewis, City Manager

and the question being upon adopting Ordinance No. O-1213-39 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-1213-39 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-39 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-1213-39 upon Final Reading as a whole, 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-1213-39 was adopted upon Final Reading as a whole.

* * * * *

With consensus of Council, the Mayor said Item 42 will be considered before Item 41.

* * * * *

Item 42, being:

RESOLUTION NO. R-1213-127: A RESOLUTION OF THE TRUSTEES OF THE NORMAN ECONOMIC DEVELOPMENT AUTHORITY ADOPTING THE NORMAN ECONOMIC DEVELOPMENT INCENTIVES POLICY.

Acting as the Norman Economic Development Authority, Trustee Kovach moved that Resolution No. R-1213-127 be adopted, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. R-1213-127 dated April 12, 2013, by Kathryn Walker, Assistant City Attorney
2. Resolution No. R-1213-127 with Exhibit A, Economic Development Incentives Policy, Norman, Oklahoma

Participants in discussion
1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Steve Ellis, 633 Reed Avenue, made comments
3. Mr. Trey Bates, 3720 Timberidge Drive, proponent
4. Ms. Cindy Rogers, 633 Reed Avenue, made comments

and the question being upon adopting Resolution No. R-1213-127, a vote was taken with the following result:

| | |
|---|---|
| YEAS: | Trustees Castleberry, Gallagher, Griffith, Kovach, Lockett, Spaulding, Williams, Chairman Rosenthal |
| NAYES: | Trustee Jungman |

The Chairman declared the motion carried and Resolution No. R-1213-127 was adopted.

* * * * *

With consensus of Council, the Mayor said Item 42 will be considered before Item 41.

* * * * *

Item 41, being:

CONSIDERATION OF ORDINANCE NO. O-1213-42 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE I, SECTIONS 4-101 AND 4-105; AND ADDING ARTICLE XXII, SECTIONS 4-2201 THROUGH 4-2204 OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN TO PROVIDE FOR THE CREATION OF THE ECONOMIC DEVELOPMENT ADVISORY BOARD; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1213-42, having been Introduced and adopted upon First Reading by title in City Council's meeting of April 9, 2012, Councilmember Kovach moved that the title of Ordinance No. O-1213-42 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-1213-42 dated April 1, 2013, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1213-42
3. Legislatively notated copy of Ordinance No. O-1213-42

Participants in discussion
1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Steve Ellis, 633 Reed Avenue, protestant
3. Ms. Ann Gallagher, 1522 East Boyd Street, made comments
4. Ms. Cindy Rogers, 633 Reed Avenue, protestant
5. Mr. John Woods, Executive Director of Norman Chamber of Commerce, 115 East Gray Street, proponent

Item 41, continued:

Thereupon, Councilmember Jungman moved that Ordinance No. O-1213-42 be amended to read as follows:

* * * * *

**Sec. 4-2202. Quorum and Operation.**

* * *

(d) *Minutes*. The Economic Development Advisory Board shall produce detailed written minutes of all its meetings including proceedings of any executive session. Executive session minutes may be properly sealed in accordance with Oklahoma Statutes. Nothing in this section shall be construed to limit access to executive session minutes by the Mayor, duly sworn Members of the City Council, the City Manager, the City Clerk, or the City Attorney. Each meeting shall be recorded on audiotape or equivalent media when possible.

which motion was duly seconded by Councilmember Gallagher;

Participants in discussion
1. Mr. Jeff Bryant, City Attorney
2. Mr. Don Wood, Executive Director of the Norman Economic Development Coalition, 2715 72nd Avenue S.E., made comments
3. Ms. Joy Hampton, The Norman Transcript, 215 East Comanche Street, protestant
4. Mr. Steve Ellis, 633 Reed Avenue, made comments
5. Mr. John Woods, Executive Director of Norman Chamber of Commerce, 115 East Gray Street, protestant
6. Ms. Cindy Rogers, 633 Reed Avenue, proponent
7. Mr. Trey Bates, 3720 Timberidge Drive, made comments

and the question being upon amending Ordinance No. O-1213-42 as stated above, a vote was taken with the following result:

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

The Mayor declared the motion failed and Ordinance No. O-1213-42 was not amended as stated above.

Thereupon, Councilmember Jungman moved that Ordinance No. O-1213-42 be amended to read as follows:

**Sec. 4-2201. Created; Composition of Membership.**

* * *

(b) ~~In addition to the members set forth in (a) above, the Executive Director of the Norman Economic Development Coalition or his or her designee shall serve on the Economic Development Advisory Board in a non-voting ex-officio capacity.~~ Employees and Board Members of the Norman Economic Development Coalition will be ineligible to serve on the Economic Development Advisory Board.

which motion was duly seconded by Councilmember Gallagher;

Participants in discussion
1. Mr. Steve Ellis, 633 Reed Avenue, proponent
2. Mr. John Woods, Executive Director of Norman Chamber of Commerce, 115 East Gray Street, protestant
3. Ms. Cindy Rogers, 633 Reed Avenue, proponent
4. Mr. Don Wood, Executive Director of the Norman Economic Development Coalition, 2715 72nd Avenue S.E., protestant
5. Mr. Jeff Bryant, City Attorney

Item 41, continued:

and the question being upon amending Ordinance No. O-1213-42 as stated above, a vote was taken with the following result:

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

The Mayor declared the motion failed and Ordinance No. O-1213-42 was not amended as stated above.

and the question being upon adopting Ordinance No. O-1213-42 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1213-42 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-42 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-1213-42 upon Final Reading as a whole, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1213-42 was adopted upon Final Reading as a whole.

* * * * *

Item 43, being:

MISCELLANEOUS DISCUSSION

Norman Economic Development Advisory Board (NEDAB). Mr. Steve Ellis, 633 Reed Avenue, said much had been said during discussion of Item 41 about how well things would work but there had been no evidence that economic incentives would increase the aggregate economic activity in the community. He said it is very difficult to see where things go wrong when a company is recruited. He said extensive research had been done regarding incentives given to Warren Theatre to come to the City of Moore, but there had been no increase in the number of jobs. He said the best thing to do for economic development is to make a town a fantastic place to live, then companies will come whether you provide incentives or not, for example, Crest Market. He said now NEDA will get credit for when the next company decides to build in Norman and these companies can be persuaded to come without offering incentives. He felt the establishment of NEDA will cause companies to come looking for something even though we might not say yes to every company. He urged Council to be extremely careful about what companies are chosen because if a mistake is made, it will probably cost the City of Norman money and might not make Norman a better place to live.

Councilmember Lockett thanked everyone who attended the Business and Community Affairs meetings. She said there had been a tremendous amount of input and the result had been a reasonable ordinance and policy.

*

Miscellaneous Discussion, continued:

Items 38 and 39, Rose Rock School Rezoning Items. Mr. Sean Rieger, 136 Thompson Drive, said Council received a letter from the applicant withdrawing Items 38 and 39. He said a sentence in the letter said "they are withdrawing the current application while reserving their right to move forward with the current application at a later time." He asked for clarification that this was absolutely a withdrawal without conditions and without any right to revive it at some later time. Mayor Rosenthal said the applicant submitted a letter of withdrawal and Council accepted it and took no action. Mr. Rieger asked if this applied unconditionally to Items 38 and 39?

Mr. Jeff Bryant, City Attorney, said the letter only referenced one item, the Ordinance rezoning the property, but the second item was the plat which was tied to the rezoning item so when the applicant submitted the request for withdrawal, Staff assumed it was for both items and Staff took both items off of the agenda and it required no Council action. Mr. Rieger asked if Mr. Bryant had discussed this with the applicant. Mr. Bryant said yes.

*

Medieval Fair. Councilmember Lockett thanked the Parks and Recreation Department who helped with the Medieval Fair. She said there had been a great turnout in spite of the weather.

*

Norman Economic Development Coalition (NEDC). Councilmember Lockett provided an explanation to a question raised at a prior Council meeting and said NEDC owns their building on Asp Avenue and the City of Norman does not. She said it is important to clarify facts.

*

Norman Business Owners and Chamber of Commerce Members. Councilmember Lockett said she did not think business owners lose their citizenship just because they own a business or are a member of the Norman Chamber of Commerce. She said everyone who lives in Norman should be considered a citizen of Norman including Councilmembers and University Professors.

*

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

*

Earth Day. Mayor Rosenthal thanked City Staff and members of various boards and commissions who assisted with the Earth Day event at Reaves Park on Sunday, April 21, 2013. She presented the award winning poster submittal which had been done by a Norman Third Grade student named MacKenzie. She read the poster which says "Just a Drop of Water Could Save a Plant, You Can Make a Difference, Water's Worth It."

* * * * *

Item 44, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25, TO DISCUSS THE FOLLOWING:

1. THE SETTLEMENT OF HODGE VS. KEENE, AT AL, WESTERN DISTRICT OF OKLAHOMA CASE NO. CIV-2010-1283D AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(4).

2. NEGOTIATIONS REGARDING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUP AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(2).

Councilmember Kovach moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to discuss a settlement of Hodge vs. Keene, et al, Western District of Oklahoma Case No. CIV-2010-1283D, and negotiations regarding employees and representatives of employee groups, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1213-73 dated April 15, 2013, by Rickey Knighton, Assistant City Attorney

Item 44, continued:

and the question being upon adjourning out of an Executive Session and upon the subsequent convening, 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 discuss a settlement of Hodge vs. Keene, et al, Western District of Oklahoma Case No. CIV-2010-1283D, and negotiations regarding employees and representatives of employee groups.

The City Council adjourned into Executive Session at 10:34 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Ms. Gala Hicks, Director of Human Resources, and Mr. Michael Bates, Negotiations Consultant, were in attendance at the Executive Session to discuss negotiations regarding employees and representatives of employee groups. Ms. Hicks and Mr. Bates left the Executive Session at 11:57 p.m. and Mr. Rick Knighton, Assistant City Attorney, entered at 11:57 p.m. to discuss a settlement of Hodge vs. Keene, et al, Western District of Oklahoma Case No. CIV-2010-1283D.

Thereupon, Councilmember Kovach moved that the Executive Session be adjourned out of and the Council meeting be reconvened, which motion was duly seconded by Councilmember Griffith; 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 12:11 a.m.

The Mayor said negotiations regarding employees and representatives of employee groups and a settlement of Hodge vs. Keene, et al, Western District of Oklahoma Case No. CIV-2010-1283D, were 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 12:12 a.m.

ATTEST:

City Clerk

Mayor