CITY COUNCIL SPECIAL SESSION MINUTES

May 14, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:05 p.m. in the Municipal Building Conference Room on the 14th day of May, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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| PRESENT: | Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Williams, Mayor Rosenthal |
| ABSENT: | Councilmember Spaulding |

Item 1, being:

UPDATE ON THE FRANKLIN ROAD BRIDGE REPLACEMENT AND THE CEDAR LANE WIDENING GENERAL OBLIGATION BOND PROJECTS.

Mr. Shawn O'Leary, Director of Public Works, provided an overview of the eight General Obligation (GO) Bond projects for storm water and transportation improvements approved by the voters on August 28, 2012. The focus of this meeting was to discuss, specifically, the Franklin Road Bridge Replacement Project and the Cedar Lane Widening Project. He said the Franklin Road Bridge Project was originally anticipated in 2014, but the City has an opportunity to accelerate the project due to anticipated availability of federal funds. He said both projects are leveraging federal funds and staff is currently working towards a February 2014 bid opening. He said both projects are in the process of right-of-way acquisition and utility relocation. In order to maintain that schedule staff will need to submit right-of-way clearance and 95% design plans to the Oklahoma Department of Transportation (ODOT) by August 31, 2013, and final design plans by October 21, 2013. He said all utilities will need to be relocated by December 31, 2013. The City will need to deposit matching funds with ODOT by January 14, 2014, for a February 20, 2014, bid opening.

Mr. O'Leary said the Cedar Lane Road Widening Project and the other GO Bond transportation projects were planned as recoupment projects to recoup any right-of-way acquisition costs for the unplatted land along the project boundaries. He said the Recoupment Ordinance was adopted by Council in 1997 and applies to unplatted property and ensures that developers pay their fair share of roadway improvements adjacent to their property. He said it is used to address gaps in paving that occur when owners of adjoining property do not all develop at the same time. The City "up fronts" the cost of the improvement and if the property adjacent to the improvements develops within 20 years, the developer reimburses the City its fair share of the roadway improvements.

Recoupment projects are declared by Council resolution to establish the recoupment district boundaries and a second resolution to declare the final costs and assessments once the project is complete. The City funds the roadway improvements up front. Recoupment fees are collected only if the property is platted after the resolution is adopted by Council and fees are reduced by 20% per year after the 15th year dropping the fee to zero at year 20. Recoupment fees are waived if property is not platted within 20 years.

Items submitted for the record

1. PowerPoint presentation entitled, "Cedar Lane Road Project – Franklin Road Bridge Project, Project Update dated May 14, 2013"

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Scott Sturtz, City Engineer

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Item 2, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUES TITLE 25 § 307(B)(4) TO DISCUSS POSSIBLE LITIGATION AND AS AUTHORIZED BY TITLE 25 § 307(B)(3) TO DISCUSS THE ACQUISITION OF REAL PROPERTY OF RIGHT-OF-WAY IN CONNECTION WITH THE FRANKLIN ROAD BRIDGE PROJECT APPROXIMATELY ONE-HALF MILE WEST OF 12TH AENUE N.W. AND THE CEDAR LANE WIDENING PROJECT BETWEEN 12TH AVENUE S.E. AND ONE-EIGHTH MILE EAST OF 24TH AVENUE S.E.

Councilmember Castleberry moved that the Special Session be adjourned out of and an Executive Session be convened in order to discuss the acquisition of right-of-way in connection with the Franklin Road Bridge Replacement Project and the Cedar Lane Widening Project, which motion was duly seconded by Councilmember Griffith; and the question being upon adjourning out of the Special Session and convening into an Executive Session to discuss the acquisition of right-of-way in connection with the Franklin Road Bridge Replacement Project and the Cedar Lane Widening Project, a vote was taken with the following result:

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

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into to discuss the acquisition of right-of-way in connection with the Franklin Road Bridge Replacement Project and the Cedar Lane Widening Project.

The City Council adjourned into Executive Session at 5:37 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Ms. Kathryn Walker, Assistant City Attorney; and Mr. Shawn O'Leary, Director of Public Works, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Kovach moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Lockett; and the question being upon reconvening the Special Session, a vote was taken with the following result:

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

The Mayor declared the motion carried and the Special Session was reconvened at 6:15 p.m.

The Mayor said the acquisition of right-of-way in connection with the Franklin Road Bridge Replacement Project and the Cedar Lane Widening Project was discussed in Executive Session. No action was taken and no votes were cast.

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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:

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

The Mayor declared the motion carried and the meeting was adjourned at 6:17 p.m.

ATTEST:

City Clerk

Mayor