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

August 27, 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 27th day of August, 2013. Due to a delay in a prior Council Conference at 5:30 p.m., the regular session did not begin until 7:00 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, Griffith, Heiple, Holman Jungman, Kovach, Miller, Williams, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 27 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 27, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 4 through Item 27 were placed on the consent docket by unanimous vote.

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Item 4, being:

CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF JULY 30, 2013
CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 6, 2013
PUBLIC MEETING ON WASTEWATER RATE INCREASE MINUTES OF AUGUST 12, 2013
CITY COUNCIL CONFERENCE MINUTES OF AUGUST 13, 2013
CITY COUNCIL MINUTES OF AUGUST 13, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 13, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 13, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 13, 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-1314-14 dated August 20, 2013, by Brenda Hall, City Clerk
2. City Council Study Session minutes of July 30, 2013
3. City Council Special Session minutes of August 6, 2013
4. Public Meeting on Wastewater Rate Increase minutes of August 12, 2013
5. City Council Conference minutes of August 13, 2013
6. City Council minutes of August 13, 2013
7. Norman Utilities Authority minutes of August 13, 2013
8. Norman Municipal Authority minutes of August 13, 2013
9. Norman Tax Increment Finance Authority minutes of August 13, 2013

Item 4, continued:

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman Jungman, Kovach, Miller, 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 5, being:

CONSIDERATION OF ORDINANCE NO. O-1213-46 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE NORTH THIRTY-FIVE (35) FEET OF THE SEVENTY (70) FOOT RIGHT-OF-WAY KNOWN AS FRANKLIN COURT (PLATTED AS MAIN STREET) LOCATED IN FRANKLIN ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-46 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-1213-46 dated April 10, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-46
3. Location map
4. Memorandum dated April 8, 2013, from Brenda Hall, City Clerk; to Rone Tromble, Administrative Technician IV; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; and Jane Hudson, Principal Planner
5. Letter of request dated April 4, 2013, from R. Blaine Nice, Attorney/Agent, Fellers Snider, to Ms. Brenda Hall, City Clerk
6. Staff Report dated June 13, 2013, recommending approval
7. Franklin Addition plat
8. Franklin Right-of-Way Aerial Photo
9. Protest Area Map dated May 8, 2013, containing 74.7% protest within notification area
10. Letter of protest filed April 22, 2013, from Judy Martens to the City of Norman Planning Commission
11. Letter of protest filed April 29, 2013, from Charles W. Thomas to Norman Planning Commission
12. Letter of protest filed April 30, 2013, from Austin A. and Bobbi Holland to Secretary, Norman Planning Commission
13. Pertinent excerpts from Planning Commission minutes of May 9, 2013
14. Email dated July 8, 2013, from R. Blaine Nice, Fellers Snider, to Jane Hudson, Ken Danner, and Rone Tromble
15. Letter requesting postponement dated July 8, 2013, from R. Blaine Nice, Fellers Snider, to Jane Hudson, City of Norman Planning Commission
16. Letter requesting postponement dated May 9, 2013, from R. Blaine Nice, Fellers Snider, to Jane Hudson, City of Norman Planning Commission
17. Pertinent excerpts from Planning Commission minutes of August 8, July 11, June 13, and May 9, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1213-46 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-46 was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1314-8 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 21-112 OF CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN, OKLAHOMA, CONTINGENT ON VOTER APPROVAL OF ORDINANCE NO. O 1314-9 BY INCREASING THE SEWER SERVICE RATES BY AN ADDITIONAL ONE DOLLAR AND TEN CENTS ($1.10) PER MONTH FOR A BASE SEWER CHARGE OF FIVE DOLLARS AND ZERO CENTS ($5.00) AND AN ADDITIONAL ONE DOLLAR AND TEN CENTS ($1.10) PER THOUSAND GALLONS OF SEWAGE TREATMENT FOR A SEWER USE CHARGE OF TWO DOLLARS AND SEVENTY CENTS ($2.70) PER THOUSAND GALLONS OF SEWAGE TREATMENT; PROVIDING AN EFFECTIVE DATE FOR SAID INCREASE SUBJECT TO VOTER APPROVAL; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1314-8 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-1314-8 dated August 23, 2103, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1314-8
3. Legislatively notated copy of Ordinance No. O-1314-8
4. Special Election Proclamation and Notice of Election
5. Memorandum dated July 17, 2013, from Judith Wilkins, Chair, Norman Citizen's Wastewater Oversight Committee, to Honorable Trustees of the Norman Utilities Authority

and the question being upon the Introduction and adoption of Ordinance No. O-1314-8 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-8 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1314-9 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN SAID CITY OF NORMAN, STATE OF OKLAHOMA, (THE CITY), ON THE 12th DAY OF NOVEMBER, 2013, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF APPROVING OR REJECTING ORDINANCE NO. O-1314-8 WHICH AMENDS SECTION 21-112 OF CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN, OKLAHOMA, CONTINGENT ON VOTER APPROVAL OF ORDINANCE NO. O-1314-9 BY INCREASING THE SEWER SERVICE RATES BY AN ADDITIONAL ONE DOLLAR AND TEN CENTS ($1.10) PER MONTH FOR A BASE SEWER CHARGE OF FIVE DOLLARS AND ZERO CENTS ($5.00) AND AN ADDITIONAL ONE DOLLAR AND TEN CENTS ($1.10) PER THOUSAND GALLONS OF SEWAGE TREATMENT FOR A SEWER USE CHARGE OF TWO DOLLARS AND SEVENTY CENTS ($2.70) PER THOUSAND GALLONS OF SEWAGE TREATMENT; PROVIDING AN EFFECTIVE DATE FOR SAID INCREASE SUBJECT TO VOTER APPROVAL, AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1314-9 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-1314-9 dated August 23, 2103, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1314-9
3. Special Election Proclamation and Notice of Election
4. Memorandum dated July 17, 2013, from Judith Wilkins, Chair, Norman Citizen's Wastewater Oversight Committee, to Honorable Trustees of the Norman Utilities Authority

Item 7, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1314-9 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-9 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AS FOLLOWS:

~~BOARD OF ADJUSTMENT~~
~~- TERM: 08-27-13 TO 12-22-14: DAMIAN DOYLE, 2204 VALLEY HOLLOW~~

PUBLIC ARTS BOARD
TERM: 08-27-13 TO 10-23-14: CHERYL LOCKSTONE, 1230 CAMDEN WAY

Councilmember Kovach moved that the appointment be confirmed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. AP-1314-7 dated August 16, 2013, by Brenda Hall, City Clerk

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appointment was confirmed.

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Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 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-1314-11 dated August 5, 2013, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report as of July 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, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

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Item 10, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 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-1314-12 dated August 5, 2013, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of July, 2013

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

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, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

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Item 11, being:

SUBMISSION AND ACKNOWLEDGMENT OF RECEIPT OF THE WASTEWATER OVERSIGHT COMMITTEE ANNUAL REPORT AS OF JUNE 30, 2013.

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-1314-14 dated August 12, 2013, by Suzanne Krohmer, Municipal Accountant
2. The City of Norman Wastewater Oversight Committee Annual Report as of June 30, 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, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

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Item 12, being:

CONSIDERATION OF THE CITY'S APPLICATION FOR PERMISSION TO CARRY ITS OWN RISK WITHOUT WORKERS' COMPENSATION INSURANCE.

Councilmember Kovach moved that the application be approved, the execution thereof be authorized, and submission of the application to the Workers' Compensation Court Administrator for review and payment in the amount of $1,000 be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1314-5 dated August 12, 2013, by Clint Mercer, Chief Accountant
2. Letter of transmittal dated August 27, 2013, from Clint Mercer, CPA, Risk Manager, to Richard Fisher, Director of Insurance, Workers' Compensation Court
3. Workplace Safety Plan dated August 27, 2013, from Clint Mercer, CPA, Risk Manager, to Richard Fisher, Director of Insurance, Workers' Compensation Court
4. Form 1B, Oklahoma Workers' Compensation Court Employer's Application for Permission to Carry Its Own Risk Without Insurance dated August 1, 2013
5. Form 7, Designation of Service Agent

Participants in discussion
1. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
2. Mr. Anthony Francisco, Director of Finance

and the question being upon approving the application and upon the subsequent authorization and directives, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the application approved; the execution thereof was authorized and submission of the application to the Workers' Compensation Court Administrator for review and payment in the amount of $1,000 were directed.

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Item 13, being:

RATIFICATION OF THE DECLARATION OF AN EMERGENCY TO REPLACE THE UNINTERRUPTED POWER SUPPLY (UPS) SYSTEM FOR THE POLICE DEPARTMENT WHICH FAILED AFTER LOSS OF POWER ON AUGUST 15, 2013; ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-1213-65 FROM EATON CORPORATION; AND APPROVAL OF CONTRACT NO. K-1213-200 IN THE AMOUNT OF $81,620.39, PERFORMANCE BOND NO. B-1213-96, STATUTORY BOND NO. B-1213-97, AND MAINTENANCE BOND NO. MB-1213-87 FOR THE POLICE EMERGENCY UPS SYSTEM PROJECT.

Councilmember Kovach moved that the City Manager's declaration of an emergency for the purchase of the UPS System be ratified, Request for Proposal No. RFP-1213-65 from Eaton Corporation for the Police Emergency UPS System Project be accepted, Contract No. K-1213-200 in the amount of $81,620.39 and the performance, statutory, and maintenance bonds be approved, execution of the contract and bonds be authorized, and the filing of the bonds be directed; which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-200 dated June 10, 2013, by Lance Terry, Communications Center Supervisor
2. Memorandum dated August 16, 2013, from Keith Humphrey, Chief of Police, to Steve Lewis, City Manager
3. Contract No. K-1213-200
4. Performance Bond No. B-1213-96
5. Statutory Bond No. B-1213-97
6. Maintenance Bond No. MB-1213-89

Item 13, continued:

and the question being upon ratifying the City Manager's declaration of an emergency for the purchase of the UPS System and upon the subsequent acceptance, approval, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Manager's declaration of an emergency for the purchase of the UPS System ratified; Request for Proposal No. RFP-1213-65 from Eaton Corporation for the Police Emergency UPS System Project was accepted; Contract No. K-1213-200 in the amount of $81,620.39 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; and the filing of the bonds was directed.

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Item 14, being:

ACCEPTANCE OF A RECREATIONAL TRAILS GRANT FROM THE OKLAHOMA TOURISM AND RECREATION DEPARTMENT IN THE AMOUNT OF $160,000 TO BE USED FOR IMPROVEMENTS TO JOHN H. SAXON COMMUNITY PARK AND BUDGET APPROPRIATION.

Councilmember Kovach moved that the Recreational Trails Grant from the Oklahoma Tourism and Recreation Department in the amount of $160,000 to be used for improvements to John H. Saxon Community Park be accepted; the submission thereof to the Oklahoma Tourism and Recreation Department be directed; the Mayor be authorized to sign additional supporting documentation related to the grant; and $160,000 be appropriated from the Special Grants Fund Balance (022-0000-253.20-00) to Project No. PC0003, Saxon Park Development, Construction (022-9674-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1314-30 dated August 7, 2013, by James Briggs, Park Planner
2. Memorandum from Susan Henry, Recreational Trails Program Coordinator
3. Recreational Trails Program Agreement

and the question being upon accepting the Recreational Trails Grant from the Oklahoma Tourism and Recreation Department in the amount of $160,000 to be used for improvements to John H. Saxon Community Park and upon the subsequent directive, authorization, and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the Recreational Trails Grant from the Oklahoma Tourism and Recreation Department in the amount of $160,000 to be used for improvements to John H. Saxon Community Park accepted; the submission thereof to the Oklahoma Tourism and Recreation Department was directed, the Mayor was authorized to sign additional supporting documentation related to the grant, and $160,000 was appropriated from the Special Grants Fund Balance (022-0000-253.20-00) to Project No. PC0003, Saxon Park Development, Construction (022-9674-452.61-01).

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Item 15, being:

CONSIDERATION OF BID NO. 1213-89, CONTRACT NO. K-1314-28 WITH DOWNEY CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF $233,782.63, PERFORMANCE BOND NO. B-1313-10, STATUTORY BOND NO. B-1314-11, MAINTENANCE BOND NO. MB-1314-5 AND RESOLUTION NO. R-1314-13 FOR THE SAXON PARK ROAD, PARKING, AND TRAIL PROJECT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $233,782.63 be awarded to Downey Constructing Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1314-28 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution No. R-1314-13 be adopted; and $43,360 be appropriated from the Community Park Land Fund Balance (052-0000-253.20-00) to Project PC0003, Saxon Park Development, Construction (052-9674-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-28 dated August 7, 2013, by James Briggs, Park Planner
2. Location map
3. Tabulation of bids dated August 6, 2013, for Saxon Park Road, Parking and Trail Construction Project
4. Contract No. K-1314-28
5. Performance Bond No. B-1314-10
6. Statutory Bond No. B-1314-11
7. Maintenance Bond No. MB-1314-5
8. Resolution No. R-1314-13
9. Purchase Requisition No. 0000221781 dated August 14, 2013, in the amount of $233,782.63 to Downey Construction Company

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $233,782.63 was awarded to Downey Constructing Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1314-28 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; Resolution No. R-1314-13 was adopted; and $43,360 was appropriated from the Community Park Land Fund Balance (052-0000-253.20-00) to Project PC0003, Saxon Park Development, Construction (052-9674-452.61-01),

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Item 16, being:

EASEMENT NO. E-1314-4: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY EASEMENT FROM REDSTONE PROPERTIES IN THE AMOUNT OF $9,150 FOR THE HIGHWAY 9 UTILITY RELOCATION PROJECT.

Councilmember Kovach moved that Easement No. E-1314-4 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of $49,150 to Redstone Properties be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1314-4 dated August 6, 2013, by Jim Speck, Capital Projects Engineer
2. Easement No. E-1314-4 with Exhibit "A", location map; Exhibit "B", legal description; and Exhibit "C", letter dated July 18, 2013, from Jim Speck, P.E., P.L.S., Capital Projects Engineer, to Mr. Keith Gasaway

Item 16, continued:

and the question being upon accepting Easement No. E-1314-4 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Easement No. E-1314-4 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of $49,150 to Redstone Properties was directed.

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Item 17, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR ASHTON GROVE ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the final site development plan and final plat for Ashton Grove Addition, Section 2, a Planned Unit Development, 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 Development Committee's acceptance of all required public improvements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1314-1 dated August 19, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Development Committee Staff Report dated August 19, 2013, recommending approval
4. Application for Development Committee Action dated August 14, 2013, from Ashton Grove, L.L.C., and Ashton Grove Master Association, Inc.
5. Letter of request received June 7, 2013, from William Dow Hamm III to the Honorable Mayor Cindy Rosenthal
6. Final plat
7. Preliminary plat

and the question being upon approving the final site development plan and final plat for Ashton Grove Addition, Section 2, a Planned Unit Development, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the final site development plan and final plat for Ashton Grove Addition, Section 2, a Planned Unit Development, 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 the filing of the final site development plan and final plat was directed.

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Item 18, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION OF $500 FROM ROSE ROCK VETERINARY AND PET HOSPITAL TO BE USED BY THE CITY OF NORMAN ANIMAL WELFARE CENTER.

Councilmember Kovach moved that a donation in the amount of $500 from Rose Rock Veterinary and Pet Hospital to be used by the City of Norman Animal Welfare Center be accepted and Animal Control Liability (010-0000-227.24-31) be increased by $500, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1314-13 by John Bowman, Animal Welfare Supervisor
2. Receipt No. R13-002130 dated July 30, 2013, from Rose Rock Veterinary in the amount of $500

and the question being upon accepting a donation in the amount of $500 from Rose Rock Veterinary and Pet Hospital to be used by the City of Norman Animal Welfare Center and upon the subsequent increase, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a donation in the amount of $500 from Rose Rock Veterinary and Pet Hospital to be used by the City of Norman Animal Welfare Center accepted; and Animal Control Liability (010-0000-227.24-31) was increased by $500.

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Item 19, being:

LIMITED LICENSE NO. LL-1314-4: LIMITED LICENSE TO PLACE TWENTY-TWO (22) "GOAL-A-METER" SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

Councilmember Kovach moved that Limited License No. LL-1314-4 to place twenty-two (22) "Goal-A-Meter" signs within the public rights-of-way pursuant to a request from the United Way of Norman be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. LL-1314-4 dated August 15, 2013, by Wayne Stenis, Planner II
2. Letter of request dated June 13, 2013, from Candice Jones, Vice-President, Resource Development, United Way of Norman, to Ellen Usry
3. List of locations
4. Limited License No. LL-1314-4

and the question being upon approving Limited License No. LL-1314-4 to place twenty-two (22) "Goal-A-Meter" signs within the public rights-of-way pursuant to a request from the United Way of Norman and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1314-4 to place twenty-two (22) "Goal-A-Meter" signs within the public rights-of-way pursuant to a request from the United Way of Norman approved; and the issuance thereof was authorized.

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Item 20, being:

LIMITED LICENSE NO. LL-1314-5: LIMITED LICENSE TO PLACE FIFTY-THREE (53) POLE BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM CAMPUS CORNER ASSOCIATION DURING THE UNIVERSITY OF OKLAHOMA FOOTBALL SEASON.

Councilmember Kovach moved that Limited License No. LL-1314-5 to place fifty-three (53) pole banners within the public rights-of-way pursuant to a request from the Campus Corner Association 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-1314-5 dated August 15, 2013, from Wayne Stenis, Planner II
2. Application for Limited License dated August 20, 2013, for 53 pole banners from the Campus Corner Association
3. List of locations
4. Drawing of banner
5. Limited License No. LL-1314-5

and the question being upon approving Limited License No. LL-1314-3 to place fifty-three (53) pole banners within the public rights-of-way pursuant to a request from the Campus Corner Association and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1314-3 to place fifty-three (53) pole banners within the public rights-of-way pursuant to a request from the Campus Corner Association approved; and the issuance thereof was authorized.

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Item 21, being:

CONTRACT NO. K-1314-29: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN AND CLEVELAND COUNTY HISTORICAL SOCIETY IN THE AMOUNT OF $30,870 FOR THE PURPOSE OF OPERATION OF THE CITY AND COUNTY HISTORICAL MUSEUM.

Councilmember Kovach moved that Contract No. K-1314-29 with Norman and Cleveland County Historical Society in the amount of $30,870 be approved and the execution of the contract be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-29 dated August 15, 2013, by Leah Messner, Assistant City Attorney
2. Contract No. K-1314-29
3. Cleveland County Historical Society Report to City Finance Committee dated February 20, 2013

and the question being upon approving Contract No. -1314-29 with Norman and Cleveland County Historical Society in the amount of $30,870 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-29 with Norman and Cleveland County Historical Society in the amount of $30,870 approved; and the execution thereof was authorized.

* * * * *

Item 22, being:

CONTRACT NO. K-1314-37: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE CLEVELAND COUNTY SHERIFF'S DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF CLEVELAND COUNTY TO PROVIDE FOR THE INCARCERATION OF CITY PRISONERS IN THE CLEVELAND COUNTY JAIL FACILITY AT A COST OF $48 PER DAY PER PRISONER.

Councilmember Kovach moved that Contract No. K-1314-37 with the Cleveland County Sheriff's Department and the Board of County Commissioners of Cleveland County to provide for the incarceration of City prisoners in the Cleveland County jail facility at a cost of $48 per day per prisoner 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-1314-37 dated August 12, 2013, by Major JD Younger
2. Contract No. K-1314-37
3. Cleveland County Jail Expenses from February 11, 2012, to February 1, 2013,
4. 2013/2014 Cost of Incarceration Figures, Detention Center, dated July 2, 2013, from Rhett Burnett, Cleveland County Undersheriff, to City of Moore, City of Norman, City of Noble, and City of Lexington

and the question being upon approving Contract No. K-1314-37 with the Cleveland County Sheriff's Department and the Board of County Commissioners of Cleveland County to provide for the incarceration of City prisoners in the Cleveland County jail facility at a cost of $48 per day per prisoner and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-37 with the Cleveland County Sheriff's Department and the Board of County Commissioners of Cleveland County to provide for the incarceration of City prisoners in the Cleveland County jail facility at a cost of $48 per day per prisoner approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-1314-44: 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 IM-NHI-35-2(176)107, STATE JOB NO. 09031(05), FOR THE CONSTRUCTION OF THE I-35/STATE HIGHWAY NINE, AND THE I-35/LINDSEY STREET INTERCHANGES; ADOPTION OF RESOLUTION NO. R-1314-24, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1314-44 with ODOT be approved, Resolution No. R-1314-24 be adopted; the execution of the contract and resolution be authorized; $91,385 be appropriated from the Capital Fund Balance, (050-0000-253 20-00) to Project No. TR0092, I-35 Utility Relocations Project, Utilities (050-9539-431 67-01); and payment in the amount of $91,384.75 for the City's 20% cost share be directed to ODOT; which motion was duly seconded by Councilmember Griffith,

Items submitted for the record
1. Text File No. K-1314-44 dated August 15, 2013, by John Clink, Capital Projects Engineer
2. Contract No. K-1314-44
3. Resolution No. R-1314-24
4. Utility Cost Estimate, Job Piece 09031(05) Construction, Federal Aid Project No. NHPPIY-0035-2(176)107 and Job Piece 09031(07) Utilities, Federal Aid Project No. IMY-003502(288)107UT, Cleveland County, I-35, with Federal Funding
5. Purchase Requisition No. 0000221391 dated August 6, 2013, in the amount of $91,384.75 to ODOT

Item 23, continued:

and the question being upon approving Contract No. K-1314-44 with ODOT and upon the subsequent authorization, appropriation, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-44 with ODOT approved; Resolution No. R-1314-24 was adopted; the execution of the contract and resolution was authorized, $91,385 was appropriated from the Capital Fund Balance, (050-0000-253.20-00) to Project No. TR0092, I-35 Utility Relocations Project, Utilities (050-9539-431.67-01); and payment in the amount of $91,384.75 for the City's 20% cost share was directed to ODOT.

* * * * *

Item 24, being:

CONTRACT NO. K-1314-46: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE PERFORMING ARTS STUDIO IN THE AMOUNT OF $3,000 FOR THE PROVISION OF HOSPITALITY SERVICES TO THE GENERAL PUBLIC VISITING THE SANTA FE TRAIN DEPOT.

Councilmember Kovach moved that Contract No. K-1314-46 with Performing Art Studio in the amount of $3,000 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-1314-46 dated August 15, 2013, by Leah Messner, Assistant City Attorney
2. Contract No. K-1314-46
3. Performing Arts Studio Report to City of Norman Finance Committee dated February 15, 2013, submitted by Rick Fry, Executive Director, Performing Arts Studio
4. The Performing Arts Studio, Inc., 2011-2012 Budget

and the question being upon approving Contract No. K-1314-46 with Performing Art Studio in the amount of $3,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-46 with Performing Art Studio in the amount of $3,000 approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CONTRACT NO. K-1314-49: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN OPTIMIST CLUB FOR THE USE OF GRIFFIN AND REAVES PARKS FOR THE FACILITATION OF THE YOUTH BASEBALL AND YOUTH FOOTBALL PROGRAMS FOR THE PARKS AND RECREATION DEPARTMENT FOR A PERIOD OF THREE YEARS.

Councilmember Kovach moved that Contract No. K-1314-49 with the Norman Optimist Club for a period of three years 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-1314-49 dated August 14, 2013, by Jud Foster, Director of Parks and Recreation
2. Contract No. K-1314-49 with Exhibit A, Responsibilities of Norman Optimist Club at Reaves Park; Exhibit B, Responsibilities of the City of Norman at Reaves Park; and Responsibilities of the City of Norman at Griffin Park

and the question being upon approving Contract No. K-1314-49 with the Norman Optimist Club for a period of three years, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-49 with the Norman Optimist Club for a period of three years approved; and the execution thereof was authorized.

* * * * *

Item 26, being:

RESOLUTION NO. R-1314-17: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $123,000 FROM THE SEIZURE AND RESTITUTION FUND BALANCE TO PURCHASE COMMUNICATIONS EQUIPMENT AND FIRST AID KITS FOR FIRST RESPONDERS, SKILL-MAINTENANCE AND QUALIFICATION AMMUNITION FOR OFFICERS, AND PROVIDE FUNDING FOR INVESTIGATIVE EXPENSES FOR THE SPECIAL INVESTIGATIONS DIVISION, REQUIRED MAINTENANCE FOR A SEIZED VEHICLE, AND OPERATIONAL EQUIPMENT FOR THE BIKE TEAM.

Councilmember Kovach moved that Resolution No. R-1314-17 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1314-17 dated July 12, 2013, by Major JD Younger
2. Resolution No. R-1314-17

Participants in discussion
1. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
2. Mr. Keith Humphrey, Police Chief

and the question being upon adopting Resolution No. R-1314-17, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1314-17 was adopted.

* * * * *

Item 27, being:

RESOLUTION NO. R-1314-29: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $10,200 FROM THE SPECIAL GRANTS FUND BALANCE FOR EDUCATION/OUTREACH PROJECTS FUNDED BY A CERTIFIED LOCAL GOVERNMENTS (CLG) GRANT.

Councilmember Kovach moved that Resolution No. R-1314-29 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1314-29 dated August 8, 2013, by Susan Atkinson, Historic District Planner
2. Resolution No. R-1314-29

and the question being upon adopting Resolution No. R-1314-29, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1314-29 was adopted.

* * * * *

Item 28, being:

SUBMISSION OF A NOTICE OF APPEAL REQUESTING CITY COUNCIL OVERTURN THE DECISION OF THE HISTORIC DISTRICT COMMISSION REGARDING AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR REPLACEMENT OF WINDOWS FOR PROPERTY LOCATED AT 322 ALAMEDA STREET.

Councilmember Kovach moved that the appeal to overturn the decision of the Historic District Commission for property located at 322 East Alameda Street be approved, which motion was duly seconded by Councilmember Holman;

Items submitted for the record
1. Text File No. GID-1314-22 dated August 14, 2013, by Susan Atkinson, Historic District Planner
2. Letter requesting appeal filed August 13, 2013, from Jeff Murphy and Li Yang to Brenda Hall and the Members of the Norman City Council
3. City of Norman Historic District Commission Application for Certificate of Appropriateness submitted by Jeff Murphy on May 17, 2013, for 322 Alameda Street
4. Norman Historic District Commission Staff Report dated July 1, 2013, for 322 Alameda, Miller Historic District, submitted by Jeff and Li Murphy
5. Photographs of windows at 322 Alameda Street
6. Letter dated July 5, 2013, from Susan Atkinson, AICP, Historic Preservation Officer, to Jeff Murphy and Li Yang
7. Pertinent excerpts from Norman Historic District Commission meeting minutes of July 1, 2013, with item submitted for the record, Email dated July 1, 2013, from Will Harris to Susan Atkinson
8. Pertinent excerpts from Norman Historic District Commission meeting minutes of August 5, 2013

Thereupon Councilmember Kovach moved that the appeal to overturn the decision of the Historic District Commission for property located at 322 Alameda Street be amended by modifying the timeline for replacement of 15 windows at 322 Alameda Street from three (3) windows within the first year with replacement of the twelve (12) remaining windows within three years to replacement of all fifteen (15) windows within thirty (30) months, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Letter dated August 27, 2013, from Jeff Murphy and Li Yang to Norman City Council

Item 28, continued:

and the question being upon amending the appeal to overturn the decision of the Historic District Commission for property located at 322 Alameda Street t by modifying the timeline for replacement of 15 windows at 322 Alameda Street from three (3) windows within the first year and replacement of the twelve (12) remaining windows within three years to replacement of all fifteen (15) windows within thirty (30) months, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appeal to overturn the decision of the Historic District Commission for property located at 322 Alameda Street was amended by modifying the timeline for replacement of 15 windows at 322 Alameda Street from three (3) windows within the first year with replacement of the twelve (12) remaining windows within three years to replacement of all fifteen (15) windows within thirty (30) months.

and the question being upon approving the appeal to overturn the decision of the Historic District Commission for property located at 322 Alameda Street, as amended, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appeal to overturn the decision of the Historic District Commission for property located at 322 Alameda Street, as amended, was approved.

* * * * *

Item 29, being:

SUBMISSION OF A NOTICE OF APPEAL REQUESTING CITY COUNCIL OVERTURN THE DECISION OF THE HISTORIC DISTRICT COMMISSION REGARDING AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR REPLACEMENT OF WINDOWS FOR PROPERTY LOCATED AT 321 EAST DUFFY STREET.

Item 29 was withdrawn at the request of the applicant.

Items submitted for the record

1. Letter withdrawing appeal dated August 27, 2013, from Len Cason, Hartzog, Conger, Cason, and Neville to Brenda Hall, Norman City Clerk

* * * * *

Item 30, being:

CONSIDERATION OF ORDINANCE NO. O-1112-19 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1; AND ARTICLE II, SECTION 5-212 OF CHAPTER 5; AND ARTICLE XIV, SECTION 13-1402 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2009 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS AS AMENDED AND MODIFIED BY THE UNIFORM BUILDING CODE COMMISSION PURSUANT TO 59 O.S. § 1000.23; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-19 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 13, 2013, Councilmember Kovach moved that Ordinance No. O-1112-19 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File No. O-1112-19 dated August 1, 2013, by Brenda Hall, City Clerk
2. Text File No. O-1112-19 dated April 19, 2012
3. Ordinance No. O-1112-19
4. Memorandum dated August 1, 2013, from Leah Messner, Assistant City Attorney, to Brenda Hall, City Clerk

Item 30, continued:

Participants in discussion
1. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Ordinance No. O-1112-19 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-19 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-19 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-1112-19 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-19 was adopted upon Final Reading as a whole.

* * * * *

Item 31, being:

CONSIDERATION OF ORDINANCE NO. O-1314-1 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN RED CANYON RANCH ADDITION SECTION 3, A PLANNED UNIT DEVELOPMENT, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOTS 5 AND 15, BLOCK 2, RED CANYON RANCH, SECTION 3)

Ordinance No. O-1314-1 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 13, 2013, Councilmember Griffith moved that Ordinance No. O-1314-1 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. O-1314-1 dated June 20, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1314-1
3. Location map
4. Memorandum dated May 31, 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
5. Letter of request filed May 31, 2013, from Robert L. Bailey II, Bailey and Poarch, to Brenda Hall, City Clerk
6. Map of proposed partial vacation
7. Staff Report dated July 11, 2013, recommendation approval
8. Pertinent excerpts of Planning Commission minutes of July 11, 2013

Participants in discussion
1. Mr. Robert Bailey, Bailey and Poarch, 301 East Eufaula Avenue, attorney representing the applicant

Item 31, continued:

and the question being upon adopting Ordinance No. O-1314-1 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-1 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-1 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-1314-1 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-1 was adopted upon Final Reading as a whole.

* * * * *

Item 32, being:

RESOLUTION NO. R-1314-6: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE LOTS 43 AND 44, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (LOCATED AT THE NORTHWEST CORNER OF GEORGE AVENUE AND STINSON STREET)

Councilmember Kovach moved that Resolution No. R-1314-6 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1314-6 dated June 20, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1314-6
3. Location map
4. Staff Report dated July 11, 2013, recommending approval
6. Predevelopment Summary Case No. PD-13-14 dated June 27, 2013, for Gene Lavastida for property located at 1420 George Street
7. Greenbelt Comments dated June 17, 2013
8. Pertinent excerpts of Planning Commission minutes of July 11, 2013

Participants in discussion
1. Mr. Gene Lavastida, 1730 Oakwood Drive, applicant

and the question being upon adopting Resolution No. R-1314-6 and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1314-6 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 33, being:

CONSIDERATION OF ORDINANCE NO. O-1314-2 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 43 AND 44, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-2, TWO-FAMILY DWELLING DISTRICT, AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT THE NORTHWEST CORNER OF GEORGE AVENUE AND STINSON STREET)

Ordinance No. O-1314-2 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 13, 2013, Councilmember Kovach moved that Ordinance No. O-1314-2 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-1314-2 dated June 20, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1314-2
3. Location map
4. Staff Report dated July 11, 2013, recommending approval
5. Site plan
6. Pertinent excerpts from Planning Commission minutes of July 11, 2013

and the question being upon adopting Ordinance No. O-1314-2 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-2 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-2 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-1314-2 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-2 was adopted upon Final Reading as a whole.

* * * * *

Item 34, being:

CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR SUMMIT VALLEY ADDITION. (GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE S.E. APPROXIMATELY ONE-FOURTH MILE NORTH OF STATE HIGHWAY NO. NINE)

Councilmember Kovach moved that the revised preliminary plat for Summit Valley Addition be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. PP-1213-17 dated May 7, 2013, by Ken Danner, Subdivision Manager, with Attachment A, traffic capacity
2. Location map
3. Revised preliminary plat
4. Staff Report dated June 13, 2013, recommending approval

Item 34, continued:

Items submitted for the record, continued:

5. Transportation Impacts Form dated June 7, 2013, conducted by David R. Riesland, P.E., Assistant City Traffic Engineer, for Revised Summit Valley Addition Preliminary Plat
6. Predevelopment Summary Case No. PD-13-09 dated April 25, 2013, for MSCD Properties, L.L.C., for property located between East Lindsey Street and Highway 9 on both sides of 36th Avenue S.E.
7. Preliminary site plan
8. Pertinent excerpts from Planning Commission minutes of June 13, 2013

Participants in discussion

1. Mr. Sean Rieger, 126 Thompson Drive, attorney representing the applicant

and the question being upon approving the revised preliminary plat for Summit Valley Addition, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the revised preliminary plat for Summit Valley Addition was approved.

* * * * *

Item 35, being:

RESOLUTION NO. R-1213-133: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE S.E. AND STATE HIGHWAY NO. 9)

Councilmember Griffith moved that Resolution No. R-1213-133 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Castleberry;

Items submitted for the record

1. Text File No. R-1213-133 dated May 7, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1213-133
3. Location map
4. Staff Report dated July 11, 2013, recommending approval
6. Predevelopment Summary Case No. PD-13-10 dated April 25, 2013, for MSCD Properties, L.L.C.. for property located between East Lindsey Street and Highway 9 on both sides of 36th Avenue S.E.
7. Pertinent excerpts of Planning Commission minutes of July 11 and June 13, 2013

Participants in discussion

1. Mr. Sean Rieger, 126 Thompson Drive, attorney representing the applicant
2. Mr. David Hargis, Clour Planning and Engineering Services, 408 Bannister Court, engineer representing the applicant
3. Mr. Shawn O'Leary, Director of Public Works
4. Ms. Susan Connors, Director of Planning and Community Development
5. Mr. Bobby Stevens, Post Office Box 6226, proponent
6. Mr. Bill Dunham, 3424 Valley Hollow, protestant
7. Mr. Roger Gallagher, 1522 East Boyd Street, proponent
8. Ms. Jan Rogers, 3225 Valley Brook, protestant

Item 35, continued:

and the question being upon adopting Resolution No. R-1213-133 and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, and Williams
NAYES:	Councilmembers Jungman, Kovach, Miller, Mayor Rosenthal

The Mayor declared the motion carried and Resolution No. R-1213-133 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 36, being:

CONSIDERATION OF ORDINANCE NO. O-1213-49 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 SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-1, LOCAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE S.E. AND STATE HIGHWAY NO. 9)

Ordinance No. O-1213-49 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 13, 2013, Councilmember Kovach moved that Ordinance No. O-1213-49 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-1213-49 dated May 7, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-49
3. Location map
4. Staff Report dated July 11, 2013, recommending approval
5. Preliminary plat
6. Protest Area Map dated August 5, 2013, containing 2.50% within notification area
7. Letter of protest filed April 24, 2013, from Bill and Brenda Dunham to Office of the Mayor
8. Letter of protest filed June 4, 2013, from Kevin Smith and Heather Reeves to City of Norman Planning Commission
9. Letter of protest filed June 4, 2013, from Mary Sue Backus to Planning Commission
10. Letter of protest filed June 10, 2013, from Michael N. Cloyes to Whom It May Concern
11. Letter of protest filed June 11, 2013, from Kristen Cassady to Office of the Mayor
12. Letter of protest filed June 24, 2013, from Rob Robinson to Office of the Mayor
13. Letter of protest filed July 2, 2013, from James and Jeannette Menzies to Norman Planning Commission
14. Letter of protest filed July 8, 2013, from Richard Vidmar to City of Norman City Clerk
15. Pertinent excerpts from Planning Commission minutes of June 13 and July 11, 2013

and the question being upon adopting Ordinance No. O-1213-49 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, and Williams
NAYES:	Councilmembers Jungman, Kovach, Miller, Mayor Rosenthal

The Mayor declared the motion carried and Ordinance No. O-1213-49 was adopted upon Second Reading section by section.

Item 36, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-49 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-1213-49 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, and Williams
NAYES:	Councilmembers Jungman, Kovach, Miller, Mayor Rosenthal

The Mayor declared the motion carried and Ordinance No. O-1213-49 was adopted upon Final Reading as a whole.

* * * * *

Item 37, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR BELLATONA ADDITION, FORMERLY A PART OF SUMMIT VALLEY ADDITION, AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL LOTS. (GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE S.E. BETWEEN EAST LINDSEY STREET AND STATE HIGHWAY NO. NINE)

Councilmember Kovach moved that the preliminary plat for Bellatona Addition, formerly a part of Summit Valley Addition and waiver of alley requirements for commercial lots be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. PP-1213-18 dated May 7, 2013, by Ken Danner, Subdivision Manager, with Attachment A, traffic capacity
2. Location map
3. Preliminary plat
4. Revised preliminary plat
5. Staff Report dated July 11, 2013, recommending approval
6. Transportation Impacts Form dated June 7, 2013, conducted by David R. Riesland, P.E., Assistant City Traffic Engineer, for Bellatona Addition Preliminary Plat
7. Letter requesting alley waiver dated May 15, 2013, from Phil Clour, P.E., L.S., Clour Planning and Engineering Services, to Mr. Ken Danner, Subdivision Manager
8. Predevelopment Summary Case No. PD-13-10 dated April 25, 2013, for MSCD Properties, L.L.C., for property located between East Lindsey Street and Highway 9 on both sides of 36th Avenue S.E.
9. Memorandum dated June 13, 2013, from Jane Hudson, Principal Planner, Planning and Community Development, to Norman Planning Commission
10. Email requesting postponement dated June 7, 2013, from Evan Nixon to Jane Hudson

and the question being upon approving the preliminary plat for Bellatona Addition, formerly a part of Summit Valley Addition and waiver of alley requirements for commercial lots, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Williams, Mayor Rosenthal
NAYES:	Councilmembers Jungman, Kovach, and Miller

The Mayor declared the motion carried and the revised preliminary plat for Bellatona Addition, formerly a part of Summit Valley Addition and waiver of alley requirements for commercial lots was approved.

* * * * *

Item 38, being:

RESOLUTION NO. R-1314-7: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION SIX, TOWNSHIP EIGHT NORTH, RANGE TWO WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1217 SOUTH BERRY ROAD)

Councilmember Kovach moved that Resolution No. R-1314-7 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1314-7 dated June 20, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1314-7
3. Location map
4. Staff Report dated July 11, 2013, recommending approval
6. Predevelopment Summary Case No. PD-13-150 dated June 27, 2013, for 1217 S. Berry, L.L.C., for 1217 South Berry Road
7. Greenbelt Comments dated June 17, 2013
8. Pertinent excerpts of Planning Commission minutes of July 11 and June 13, 2013 recommending denial
9. Email dated August 25, 2013, from Sean Rieger to Brenda Hall and Cindy Rosenthal including email dated August 23, 2013, from Steve Rollins, P.E., ARC Engineering Consultants, L.L.C., to Sean Rieger and Hunter Miller and email dated August 22, 2013, from Robert Castleberry to Sean Rieger
10. Letter dated August 22, 2013, from Hal W. Smith, Hal Smith Restaurant Group, to Norman City Council
11. Revised preliminary site plan dated August 26, 2013
12. Preliminary plat dated August 26, 2013
13. Enlarged aerial photograph

Participants in discussion

1. Mr. Sean Rieger, 126 Thompson Drive, attorney representing the applicant
2. Mr. J. Kelly Work, Attorney at Law, 105 North Hudson, Suite 304, Oklahoma City, representing Mr. Hugh Ledbetter
3. Ms. Susan Connors, Director of Planning and Community Development
4. Mr. Jeff Bryant, City Attorney
5. Ms. Cindy Rogers, 633 Reed Avenue, asked questions
6. Ms. Jeanette Coker, 620 East Main Street, made comments

and the question being upon adopting Resolution No. R-1314-7 and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Williams, Mayor Rosenthal
NAYES:	Councilmembers Kovach and Miller

The Mayor declared the motion carried and Resolution No R-1314-7 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 39, being:

CONSIDERATION OF ORDINANCE NO. O-1314-3 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 SIX, TOWNSHIP EIGHT NORTH, RANGE TWO WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1217 SOUTH BERRY ROAD)

Ordinance No. O-1314-3 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 13, 2013, Councilmember Kovach moved that Ordinance No. O-1314-3 be rejected, which motion was duly seconded by Councilmember Griffith;

Item 39, continued:

Items submitted for the record

1. Text File No. O-1314-3 dated June 20, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1314-3
3. Location map
4. Staff Report dated July 11, 2013, recommending approval
5. Preliminary site plan
6. Protest Area Map dated July 10, 2013, containing 14.7% protest within notification area
7. Letter of protest filed June 27, 2013, from J. Kelly Work, Attorney for Hugh E. Ledbetter, to Norman Planning Commission
8. Letter of protest filed July 22, 2013, from J. Kelly Work, Attorney for Hugh E. Ledbetter, to Mayor Cindy Rosenthal with attached aerial photograph
9. Email dated August 25, 2013, from Sean Rieger to Brenda Hall and Cindy Rosenthal including email dated August 23, 2013, from Steve Rollins, P.E., ARC Engineering Consultants, L.L.C., to Sean Rieger and Hunter Miller and email dated August 22, 2013, from Robert Castleberry to Sean Rieger
10. Letter dated August 22, 2013, from Hal W. Smith, Hal Smith Restaurant Group, to Norman City Council
11. Revised preliminary site plan dated August 26, 2013
12. Preliminary plat dated August 26, 2013
13. Enlarged aerial photograph

Councilmember Griffith withdrew his second; thereupon Councilmember Williams moved that Ordinance No. O-1314-3 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Castleberry;

Thereupon Councilmember Williams moved that Ordinance No. O-1314-3 be amended to read as follows:

O-1314-3

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 SIX, TOWNSHIP EIGHT NORTH, RANGE TWO WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE ~~C-2, GENERAL~~ C-1, LOCAL COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1217 SOUTH BERRY ROAD)

* * *

§ 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that ~~said application~~ rezoning to C-1, Local Commercial District should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the ~~C-2, General~~ C-1, Local Commercial District, and to remove the same from the R-1, Single Family Dwelling District, to wit:

* * *

which motion was duly seconded by Councilmember Griffith

Participants in discussion

1. Mr. Sean Rieger, 126 Thompson Drive, attorney representing the applicant
2. Mr. J. Kelly Work, Attorney at Law, 105 North Hudson, Suite 304, Oklahoma City, representing Mr. Hugh Ledbetter
3. Ms. Susan Connors, Director of Planning and Community Development
4. Mr. Jeff Bryant, City Attorney

Item 39, continued:

and the question being upon amending Ordinance No. O-1314-3 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, and Williams
NAYES:	Councilmembers Holman, Jungman, Kovach, Miller, Mayor Rosenthal

The Mayor declared the motion failed and Ordinance No. O-1314-3 was not amended as stated above.

Thereupon, Councilmember Jungman moved that Ordinance No. O-1314-3 be amended to read as follows:

O-1314-3

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 SIX, TOWNSHIP EIGHT NORTH, RANGE TWO WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE ~~C-2, GENERAL~~ CO, SUBURBAN OFFICE COMMERCIAL DISTRICT WITH SPECIAL USE FOR AN OFF-STREET PARKING LOT, AND REMOVE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1217 SOUTH BERRY ROAD)

* * *

§ 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that ~~said application~~ rezoning to CO, Suburban Office Commercial District with Special Use for an Off-Street Parking Lot should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the ~~C-2, General~~ CO, Suburban Office Commercial District with Special Use for an Off-Street Parking Lot, and to remove the same from the R-1, Single Family Dwelling District, to wit:

* * *

§ 5. Further, the site shall be developed in accordance with the Preliminary Site Plan ~~reviewed by the Planning Commission at their meeting of July 11, 2013.~~ dated 8-26-13, and attached hereto as Exhibit A, with the following conditions:

(1) A six (6) foot tall decorative masonry solid wall will be installed around the entire perimeter of the lot being rezoned and planned as a parking lot, as such perimeter abuts adjacent residential lots.

(2) The landscaping committed on the site plan is increased and now includes trees interimixed in the shrubs.

(3) The width of the landscaping strip is increased as it abuts the perimeter of the parking area on the north, as indicated on the Preliminary Site Plan (Exhibit A).

* * *

which motion was duly seconded by Councilmember Kovach;

Item 39, continued:

Participants in discussion
1. Mr. Sean Rieger, 126 Thompson Drive, attorney representing the applicant
2. Mr. Jeff Bryant, City Attorney
3. Mr. J. Kelly Work, Attorney at Law, 105 North Hudson, Suite 304, Oklahoma City, representing Mr. Hugh Ledbetter

and the question being upon amending Ordinance No. O-1314-3 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Holman, Jungman, Kovach, Miller, Mayor Rosenthal
NAYES:	Councilmembers Castleberry, Griffith, Heiple, and Williams

The Mayor declared the motion carried and Ordinance No. O-1314-3 was amended as stated above.

and the question being upon adopting Ordinance No. O-1314-3, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-3, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-3 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-1314-3 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1314-3, as amended, was adopted upon Final Reading as a whole.

* * * * *

Item 40, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR LINBERRY CORNER EXPANSION ADDITION AND WAIVER OF ALLEY REQUIREMENTS FOR COMMERCIAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF WEST LINDSEY STREET AND SOUTH BERRY ROAD)

Councilmember Kovach moved that the preliminary plat for Linberry Corner Expansion Addition and waiver of alley requirements for the commercial property be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. PP-1314-2 dated June 20, 2013, by Ken Danner, Subdivision Manager, with Attachment A, traffic capacity
2. Location map
3. Preliminary plat
4. Preliminary site plan
5. Staff Report dated July 11, 2013, recommending approval

Item 40, continued:

Items submitted for the record, continued

6. Letter requesting alley waiver dated July 1, 2013, from Steve Rollins, P.E., Arc Engineering Consultants, L.L.C., to Mr. Chris Lewis, Chairman, Planning Commission
7. Email dated August 25, 2013, from Sean Rieger to Brenda Hall and Cindy Rosenthal including email dated August 23, 2013, from Steve Rollins, P.E., ARC Engineering Consultants, L.L.C., to Sean Rieger and Hunter Miller and email dated August 22, 2013, from Robert Castleberry to Sean Rieger
8. Letter dated August 22, 2013, from Hal W. Smith, Hal Smith Restaurant Group, to Norman City Council
9. Revised preliminary site plan dated August 26, 2013
10. Preliminary plat dated August 26, 2013
11. Enlarged aerial photograph

and the question being upon approving the preliminary plat for Linberry Corner Expansion Addition and waiver of alley requirements for the commercial property, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and preliminary plat for Linberry Corner Expansion Addition and waiver of alley requirements for the commercial property was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Last Meeting. Mr. Bobby Stevens, Post Office Box 6226, said he had been attending City Council meetings since 2006 and had achieved success in increasing public safety. He said he never had a problem admitting when he was wrong about anything. He said he had reported code violations and several problems on Highway 9 and had not always gotten a good answer. He said this would be his last meeting as he did not feel safe discussing these issues publicly because of comments that had been made.

*

Finance Committee Meetings. Ms. Ann Gallagher, 1522 East Boyd Street, said she brought her blanket this evening; however; the temperature had been a little warmer this evening

*

Civil Conversation. Councilmember Heiple said after tonight's Lindsey Street debate, all should remember to keep conversation civil.

*

Public Meeting for Lindsey Street Widening Project. Councilmember Kovach announced that there would be Public Meeting in Council Chambers on Tuesday, September 3rd at 6:00 p.m. to discuss the Lindsey Street Widening Project.

Councilmember Holman encouraged as much participation as possible because this was a big decision.

*

National Night Out. Mr. Steve Lewis, City Manager, announced that National Night Out would be held Tuesday, October 1st and those interested in participating could contact Sergeant Jennifer Newell at the Police Department.

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 11:00 p.m.

ATTEST:

City Clerk

Mayor