CITY COUNCIL SPECIAL SESSION MINUTES

June 17, 2014

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in the Council Chambers of the Norman Municipal Building on the 17th day of June, 2014, at 6:00 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, Williams, Mayor Rosenthal
ABSENT:	Councilmember Miller

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

PRESENTATION BY HAROLD HEIPLE, CHAIRMAN OF THE CHARTER REVIEW COMMISSION, OF THE CHARTER REVIEW COMMISSION'S RECOMMENDATIONS FOR PROPOSED CHARTER AMENDMENTS FOLLOWING THEIR REVIEW OF THE NORMAN CITY CHARTER AS DIRECTED UNDER RESOLUTION NO. R-1112-109.

Councilmember Kovach moved to allow a presentation by Harold Heiple, Chairman of the Charter Review Commission, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1314-70
2. Resolution No. R-1112-109
3. Charter Review Commission Final Report dated March 20, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission

and the question being upon allowing a presentation by Harold Heiple, Chairman of the Charter Review Commission, a vote was taken with the following result:

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

The Mayor declared the motion carried and a presentation by Harold Heiple, Chairman of the Charter Review Commission, was allowed.

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Item 4, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN AMENDMENTS TO ARTICLE II, SECTION 1, OF THE CITY CHARTER TO CONSIDER CHANGING THE VERBIAGE FROM "COMPENSATION" TO "STIPEND" IN REGARDS TO COMPENSATION OF CITY COUNCILMEMBERS.

Councilmember Griffith moved to approve the recommendation from the Charter Review Commission that Article II, Section 1, be amended by substituting the word stipend for the word compensation in the language as now written, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. RPT-1314-71 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission

and the question being upon approving the recommendation from the Charter Review Commission that Article II, Section 1, be amended by substituting the word stipend for the word compensation in the language as now written, a vote was taken with the following result:

Item 4, continued:

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

The Mayor declared the motion carried and the recommendation from the Charter Review Commission that Article II, Section 1, be amended by substituting the word stipend for the word compensation in the language as now written was approved.

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Item 5, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN AMENDMENTS TO ARTICLE III, SECTION 1, OF THE CITY CHARTER REGARDING THE CITY MANAGER REMOVAL PROCESS AND ENSURING COMPLIANCE WITH OPEN MEETING ACT REQUIREMENTS.

Councilmember Kovach moved to approve the recommendation from the Charter Review Commission that Article III, Section 1, be amended to clarify the City Manager's status as an at-will employee and create a process where at least four (4) Councilmembers may request an item be placed on an agenda to hold an Executive Session to discuss the City Manager's employment, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1314-72 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission
2. Mr. Jeff Bryant, City Attorney
3. Mr. Steve Ellis, 633 Reed Avenue, made comments
4. Mr. Roger Gallagher, 1522 East Boyd, asked questions
5. Mr. Mark Campbell, Post Office Box 3501, asked questions

and the question being upon approving the recommendation from the Charter Review Commission that Article III, Section 1, be amended to clarify the City Manager's status as an at-will employee and create a process where at least four (4) Councilmembers may request an item be placed on an agenda to hold an Executive Session to discuss the City Manager's employment, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Charter Review Commission that Article III, Section 1, be amended to clarify the City Manager's status as an at-will employee and create a process where at least four (4) Councilmembers may request an item be placed on an agenda to hold an Executive Session to discuss the City Manager's employment was approved.

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Item 6, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN AMENDMENTS TO ARTICLE III, SECTION 6, OF THE CITY CHARTER CREATING A MECHANISM UNDER WHICH THE CITY COUNCIL COULD REQUEST INFORMATION REGARDING A SPECIFIC CITY DEPARTMENT.

Councilmember Kovach moved to approve the recommendation from the Charter Review Commission, that Article III, Section 6, be amended to add language that formalizes the mechanism for inquiring into specific issues or departments allowed in Title 11 of the Oklahoma Statutes and adding language that provides that Council may direct that some inquiries may be done through an outside agency, which motion was duly seconded by Councilmember Griffith;

Item 6, continued:

Items submitted for the record
1. Text File No. RPT-1314-73 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission

and the question being upon approving the recommendation from the Charter Review Commission, that Article III, Section 6, be amended to add language that formalizes the mechanism for inquiring into specific issues or departments allowed in Title 11 of the Oklahoma Statutes and adding language that provides that Council may direct that some inquiries may be done through an outside agency, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Charter Review Commission, that Article III, Section 6, be amended to add language that formalizes the mechanism for inquiring into specific issues or departments allowed in Title 11 of the Oklahoma Statutes and adding language that provides that Council may direct that some inquiries may be done through an outside agency was approved.

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Item 7, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN AN AMENDMENT TO ARTICLE III, SECTION 7, OF THE CITY CHARTER REGARDING CREATING A REQUIREMENT THAT A CITY EMPLOYEE TAKE A LEAVE OF ABSENCE TO RUN FOR PARTISAN POLITICAL OFFICE.

Councilmember Griffith moved to approve the recommendation that Article III, Section 7, be amended to add language that would require an employee seeking elected office to take a leave of absence in accordance with the Code and/or the City Personnel Manual, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record
1. Text File No. RPT-1314-74 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission
2. Mr. Jeff Bryant, City Attorney
3. Ms. Jayne Crumpley, 423 Elm Avenue, asked questions
4. Mr. Steve Ellis, 633 Reed Avenue, made comments

and the question being upon approving the recommendation that Article III, Section 7, be amended to add language that would require an employee seeking elected office to take a leave of absence in accordance with the Code and/or the City Personnel Manual, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation that Article III, Section 7, be amended to add language that would require an employee seeking elected office to take a leave of absence in accordance with the Code and/or the City Personnel Manual was approved.

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Item 8, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN REMOVAL OF ARTICLE XVI, SECTION 2, WHICH REQUIRES AN INCREASE IN UTILITY RATES BE SUBMITTED TO THE LEGAL VOTERS OF THE CITY.

Councilmember Kovach moved to approve the recommendation that Article XVI, Section 2, be removed in its entirety, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1314-75 dated June 17, 2014
2. Election History 1960 to Present – Water/Sanitary Sewer/Water Treatment/Water Distribution System/Wastewater

Participants in discussion
1. Mr. Harold Heiple, Charter Review Commission Chairman
2. Mr. Jeff Bryant, City Attorney
3. Mr. Anthony Francisco, Director of Finance
4. Mr. Ken Komiske, Director of Utilities
5. Mr. Bobby Stevens, Post Office Box 6226, protestant
6. Mr. Steve Ellis, 633 Reed Avenue, protestant
7. Mr. David Hopper, 1620 Oriole Drive, proponent
8. Ms. Cindy Rogers, 633 Reed Avenue, protestant
9. Ms. Jayne Crumpley, 423 Elm Avenue, asked questions
10. Mr. Trey Bates, 3720 Timberidge, Member of the Charter Review Commission
11. Mr. Roger Gallagher, 1522 East Boyd, made comments
12. Mr. Mark Campbell, Post Office Box 3501, made comments
13. Mr. Rhett Jones, 211 1/2 East Main Street, asked questions

and the question being upon approving the recommendation that Article XVI, Section 2, be removed in its entirety, a vote was taken with the following result:

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

The Mayor declared the motion failed and the recommendation that Article XVI, Section 2, be removed in its entirety was not approved.

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Item 9, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN AMENDMENTS TO ARTICLE XVII, SECTION 2, TO CONSIDER WHETHER EMPLOYEE COMPENSATION LANGUAGE NEEDS TO BE MODERNIZED.

Councilmember Kovach moved to approve the recommendation from the Charter Review Commission, that Article XVII, Section 2, be amended to delete language differentiating between full time elective or appointive officers, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-13174-76 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission

and the question being upon approving the recommendation from the Charter Review Commission, that that Article XVII, Section 2, be amended to delete language differentiating between full time elective or appointive officers, a vote was taken with the following result:

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

Item 9, continued:

The Mayor declared the motion carried and the recommendation from the Charter Review Commission, that that Article XVII, Section 2, be amended to delete language differentiating between full time elective or appointive officers was approved.

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Item 10, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN AMENDMENTS TO ARTICLE XX AMENDING THE REAPPORTIONMENT COMMISSION PROCESS OR PROCEDURE.

Councilmember Kovach moved to approve the recommendation from the Charter Review Commission, that Article XX be amended adding language that would make the Reapportionment Commission an ad hoc committee meeting only in specific circumstances, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1314-77 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission

and the question being upon approving the recommendation from the Charter Review Commission, that that Article XX be amended adding language that would make the Reapportionment Commission an ad hoc committee meeting only in specific circumstances, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Charter Review Commission, that that Article XX be amended adding language that would make the Reapportionment Commission an ad hoc committee meeting only in specific circumstances was approved.

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Item 11, being:

CONSIDERATION OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN WHETHER A SCHEDULED REVIEW OF THE CHARTER BE WITHIN THE CHARTER ITSELF.

Councilmember Kovach moved to approve the recommendation from the Charter Review Commission that language be added to require Council to consider whether to appoint a Charter Review Committee if such review had not occurred within the prior 10 years, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. RPT-1314-78 dated June 17, 2014

Participants in discussion
1. Mr. Harold Heiple, Chairman of the Charter Review Commission
2. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Castleberry moved that language in Article XX, Section 9, be amended to read as follows:

Section 9. ~~Reserved~~ Periodic Charter Review

At least once every ten years beginning no later than 2024 ~~and occurring no more than every ten years thereafter~~, City Council shall consider whether a Charter Review Committee shall be appointed for the purpose of reviewing the Charter.

Item 11, continued:

which motion was duly seconded by Councilmember Kovach; and the question being upon amending language in Article XX, Section 9, as stated above, a vote was taken with the following result:

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

The Mayor declared the motion carried and language in Article XX, Section 9, was amended as stated above.

and the question being upon approving the recommendation from the Charter Commission that language be added to require Council to consider whether to appoint a Charter Review Committee if such review had not occurred within the prior 10 years, as amended, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Charter Commission that language be added to require Council to consider whether to appoint a Charter Review Committee if such review had not occurred within the prior 10 years, as amended, was approved.

ADJOURNMENT

There being no further business, Councilmember Castleberry 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, Griffith, Heiple, Holman, Jungman, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 8:05 p.m.

ATTEST:

Brenda Hall
City Clerk

Cindy Rosenthal
Mayor

CITY OF NORMAN CORPORATE SEAL OKLAHOMA