

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

August 25, 2015

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 25th day of August, 2015, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Cindy Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Williams moved that Item 4 through Item 25 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Heiple; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 25, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 25 were placed on the consent docket by unanimous vote.

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Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF JULY 28, 2015  
CITY COUNCIL STUDY SESSION MINUTES OF AUGUST 4, 2015  
CITY COUNCIL CONFERENCE MINUTES OF AUGUST 11, 2015  
CITY COUNCIL MINUTES OF AUGUST 11, 2015  
NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 11, 2015  
NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 11, 2015  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 11, 2015

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Williams moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File GID-1516-11 dated August 19, 2015, by Brenda Hall, City Clerk
2. City Council Conference minutes of July 28, 2015
3. City Council Study Session minutes of August 4, 2015
4. City Council Conference minutes of August 11, 2015
5. City Council minutes of August 11, 2015
6. Norman Utilities Authority minutes of August 11, 2015
7. Norman Municipal Authority minutes of August 11, 2015
8. Norman Tax Increment Finance Authority minutes of August 11, 2015

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 Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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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 THE APPOINTMENT OF COUNCILMEMBER LYNNE MILLER AS A SECOND ALTERNATE REPRESENTATIVE TO THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS BOARD OF DIRECTORS.

Councilmember Williams moved that the appointment of Councilmember Lynne Miller as a second alternate representative to the Association of Central Oklahoma Governments Board of Directors be approved, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File AP-1546-10 dated August 11, 2015, by Brenda Hall, City Clerk

and the question being upon confirming the appointment of Councilmember Lynne Miller as a second alternate representative to the Association of Central Oklahoma Governments Board of Directors, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the appointment of Councilmember Lynne Miller as a second alternate representative to the Association of Central Oklahoma Governments Board of Directors was confirmed.

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Item 6, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JULY 31, 2015, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File RPT-1516-6 dated August 6, 2015, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report as of July 31, 2015

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 Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JULY, 2015, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

- 1. Text File RPT-1516-7 dated August 6, 2015, by Stacey Parker, Administrative Assistant
- 2. Monthly Departmental Report for the month of July, 2015

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 Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER’S CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

- 1. Text File RPT-1516-9 dated August 6, 2015, by Brenda Hall, City Clerk
- 2. Change Order No. One to Contract K-1415-50
- 3. Memorandum dated July 30, 2015, from Jack Burdett, Engineering Assistant, and Lisa Krieg, Rehabilitation Specialist, to Steve Lewis, City Manager

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 Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 9, being:

SUBMISSION OF A FINAL REPORT FROM THE NORMAN ELECTION COMMISSION FOR THE 2015 CITY COUNCIL ELECTION CYCLE.

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

Item 9, continued:

Items submitted for the record

1. Text File RPT-1516-8 dated August 6, 2015, by Brenda Hall, City Clerk
2. Final Report of the Norman Election Commission 2015 Municipal Cycle, dated August 25, 2015, with Attachment A, Norman Election Commission minutes of January 5, February 2, March 31, May 4, and August 3, 2015; and Attachment B, Norman Election Commission Candidate Orientation minutes of January 21, 2015; PowerPoint Presentation dated January 21, 2015, presented by the Norman Election Commission entitled "City Council Orientation; and City Council Candidate Manual; Norman Election Commission Membership, 2015, Report Due Dates;

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 Allison, Castleberry, Heiple, Holman, Jungman, Lang, 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:

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

Councilmember Williams 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 Heiple;

Items submitted for the record

1. Text File RPT-1516-10 dated August 6, 2015, by Clint Mercer, Chief Accountant
2. Oklahoma Workers' Compensation Court Employer's Application for Permission for Individual Own Risk Employer Permit dated August 26, 2015

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 Allison, Castleberry, Heiple, Holman, Jungman, Lang, 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 was directed.

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Item 11, being:

CONSIDERATION AND AWARDING OF BID 1516-4 FOR THE PURCHASE OF RADIO READ WATER METERS FOR THE LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority, Trustee Williams moved that the bid as meeting specifications be accepted and the bid be awarded to National Meter and Automation, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Heiple;

Items submitted for the record

1. Text File BID-1516-4 dated July 28, 2015, by David Hager, Sewer Line Maintenance Superintendent
2. Bid tabulation dated July 23, 2015, for AMR Cold Water Meters/Radio Red

Item 11, continued:

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and the bid as meeting specifications accepted; and the bid was awarded to National Meter and Automation, Inc., as the lowest and best bidder meeting specifications.

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Item 12, being:

CONSIDERATION AND AWARDING OF BID 1516-5 FOR THE PURCHASE OF LOCAL REGISTER WATER METERS FOR THE LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority, Trustee Williams moved that all bids meeting specifications for Sections 1, 2, 4, 5, 6, 7, 10, 11, 12, and 13 be accepted and the bid be awarded to HD Waterworks Supply as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Heiple;

Items submitted for the record

- 1. Text File BID-1415-5 dated July 28, 2015, by David Hager, Line Maintenance Superintendent
- 2. Bid tabulation dated July 23, 2015, for Water Meters

and the question being upon accepting all bids meeting specifications for Sections 1, 2, 4, 5, 6, 7, 10, 11, 12, and 13 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications for Sections 1, 2, 4, 5, 6, 7, 10, 11, 12, and 13 accepted; and the bid was awarded to HD Waterworks Supply as the lowest and best bidder meeting specifications.

Thereupon, Trustee Williams moved that all bids meeting specifications for Sections 3, 8 and 9 be accepted and the bid be awarded to National Meter and Automation, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Heiple;

Items submitted for the record

- 1. Text File BID-1415-5 dated July 28, 2015, by David Hager, Line Maintenance Superintendent
- 2. Bid tabulation dated July 23, 2015, for Water Meters

and the question being upon accepting all bids meeting specifications for Sections 3, 8, and 9 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications for Sections 3, 8, and 9 accepted; and the bid was awarded to National Meter and Automation, Inc., as the lowest and best bidder meeting specifications.

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Item 13, being:

EASEMENT E-1516-8: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SANITARY SEWER EASEMENT DONATED BY COMMUNITY CHRISTIAN SCHOOL FOR INSTALLATION OF PROPOSED STORM AND SANITARY SEWERS.

Councilmember Williams moved that Easement E-1516-8 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File E-1516-8 dated August 18, 2015, by Kathryn Walker, Assistant City Attorney
2. Easement E-1516-8 with Exhibit "A", location map and legal description

and the question being upon accepting Easement E-1516-8 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Easement E-1516-8 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 14, being:

EASEMENT E-1516-16: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SANITARY SEWER EASEMENT DONATED BY JEANETTE DUBOIS, ROY BRISCOE, AND MARVA BRISCOE, CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF MICHELLE J. TULL, FOR THE SEWER MAINTENANCE PROJECT FYE 2013.

Councilmember Williams moved that Easement E-1516-16 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File E-1516-16 dated August 6, 2015, by Charlie Thomas, Capital Projects Engineer
2. Easement E-1415-16 with Exhibit "A", location map and legal description

and the question being upon accepting Easement E-1516-16 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Easement E-1516-16 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 15, being:

CONSIDERATION OF GRANTING EASEMENT E-1516-17 TO OKLAHOMA ELECTRIC COOPERATIVE TO ALLOW CONSTRUCTION, OPERATION, AND MAINTENANCE OF TRANSMISSION LINES IN CONJUNCTION WITH THE PHASE 2 WATER RECLAMATION FACILITY IMPROVEMENTS.

Councilmember Williams moved that Easement E-1516-17 be granted and the execution thereof be authorized, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File E-1516-17 dated August 17, 2015, by Mark Daniels, Utilities Engineer
2. Easement E-1516-17, with Exhibit "A," location map and legal description

Item 15, continued:

and the question being upon granting Easement E-1516-17 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement E-1516-17 granted; and the execution thereof was authorized.

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Item 16, being:

CONSIDERATION OF A FINAL PLAT FOR BELLATONA ADDITION, SECTION 1, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE NORTH SIDE OF STATE HIGHWAY 9 EAST OF 36TH AVENUE S.E. (A CLOSED SECTION))

Councilmember Williams moved that the final plat for Bellatona Addition, Section 1, be approved; the public dedications contained therein be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a warranty deed for park land dedication requirements, and the filing of the final plat be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File FP-1415-20 dated July 29, 2015, by Ken Danner, Subdivision Development Manager
2. Location map
3. Final plat
4. Final site development plan
5. Revised preliminary plat
6. Development Committee Staff Report dated March 25, 2015, recommending approval
7. Application for Development Committee Action dated March 10, 2015, from Bellatona Development, L.L.C., for Bellatona Addition, Section One

and the question being upon approving the final plat for Bellatona Addition, Section 1, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the final plat for Bellatona Addition, Section 1, approved; the public dedications contained therein were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a warranty deed for park land dedication requirements, and the filing of the final plat was directed.

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Item 17, being:

CHANGE ORDER NO. THREE TO CONTRACT K-1314-114: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SILVER STAR CONSTRUCTION COMPANY, INC., DECREASING THE CONTRACT AMOUNT BY \$245,601.75 FOR A REVISED CONTRACT AMOUNT OF \$3,785,551.35 FOR THE INTERSTATE DRIVE EAST EXTENSION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND REIMBURSEMENT TO NORMAN ECONOMIC DEVELOPMENT COALITION (NEDC) IN THE AMOUNT OF \$38,420.13 FOR THEIR PORTION OF COSTS PAID FOR THE 24TH AVENUE N.W./CORPORATE CENTER DRIVE INTERSECTION IMPROVEMENTS.

Councilmember Williams moved that Change Order No. Three to Contract K-1314-114 with Silver Star Construction Company, Inc., decreasing the contract amount by \$245,601.75 for a revised contract amount of \$3,785,551.35 be approved; the execution thereof be authorized; the project be accepted; final payment in the amount of \$189,277.57 to Silver Star Construction Company, Inc., and reimbursement in the amount of \$38,420.13 to NEDC be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File K-1314-114, Change Order No. Three, dated August 10, 2015, by Tim Miles, Capital Projects Engineer, with Attachment A, location map
2. Change Order No. Three to Contract K-1314-114

and the question being upon approving Change Order No. Three to Contract K-1314-114 with Silver Star Construction Company, Inc., decreasing the contract amount by \$245,601.75 for a revised contract amount of \$3,785,551.35 and upon the subsequent authorization, acceptance, and directives, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Change Order No. Three to Contract K-1314-114 with Silver Star Construction Company, Inc., decreasing the contract amount by \$245,601.75 for a revised contract amount of \$3,785,551.35 approved; the execution thereof was authorized, the project was accepted, final payment in the amount of \$189,277.57 to Silver Star Construction Company, Inc., and reimbursement in the amount of \$38,420.13 to NEDC were directed.

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Item 18, being:

AMENDMENT NO. ONE TO CONTRACT K-1415-34: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., INCREASING THE CONTRACT BY \$154,998 FOR A REVISED CONTRACT AMOUNT OF \$383,412 TO PROVIDE PERMANENT WASTEWATER FLOW METERING SERVICES AND EXTENDING THE CONTRACT UNTIL AUGUST 31, 2016.

Acting as the Norman Utilities Authority, Trustee Williams moved that Amendment No. One to Contract K-1415-34 with RJN Group, Inc., increasing the contract amount by \$154,998 for a revised contract amount of \$383,412 and extending the contract until August 31, 2016, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Heiple;

Items submitted for the record

1. Text File K-1415-34, Amendment No. One, dated August 11, 2015, by David Hager, Line Maintenance Superintendent
2. Amendment No. One to Contract K-1415-34 with Attachment, Schedule; Attachment B, Scope of Services; Attachment C, Compensation and Certificates of Liability Insurance dated August 7, 2015; and Exhibit 1, Project Location Map
3. Purchase Requisition 0000253764 dated August 14, 2015, in the amount of \$154,995 to RJN Group, Inc.

Item 18, continued:

and the question being upon approving Amendment No. One to Contract K-1415-34 with RJN Group, Inc., increasing the contract amount by \$154,998 for a revised contract amount of \$383,412 and extending the contract until August 31, 2016, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Amendment No One to Contract K-1415-34 with RJN Group, Inc., increasing the contract amount by \$154,998 for a revised contract amount of \$383,412 and extending the contract until August 31, 2016, approved; and the execution thereof was authorized.

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Item 19, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1415-91: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$105,454 FOR A REVISED CONTRACT PRICE OF \$2,978,474 AND EXTENDING THE CONTRACT TIME BY 40 CALENDAR DAYS FOR THE SEWER MAINTENANCE PROJECT FYE 2013 AND BUDGET APPROPRIATION TO THE SEWER MAINTENANCE FUND BALANCE.

Acting as the Norman Utilities Authority, Trustee Williams moved that Change Order No. One to Contract K-1415-91 with Urban Contractors, L.L.C., increasing the contract amount by \$105,454 for a revised contract amount of \$2,978,474 and extending the contract time by 40 calendar days be approved, the execution thereof be authorized, and \$1,000,000 be appropriated from Project WW0200, SMP-13, Construction (321-9338-432.61-01) to the Sewer Maintenance Fund Balance (321-0000-253.00-00), which motion was duly seconded by Trustee Heiple;

Items submitted for the record

1. Text File K-1415-91, Change Order No. One, dated August 3, 2015, by Charlie Thomas, Capital Projects Engineer
2. Location map
3. Change Order No. One to Contract K-1415-91
4. Purchase Order 260988 dated March 26, 2015, to Urban Contractors, L.L.C., in the amount of \$2,873,020 adding Change Order No. One in the amount of \$105,454 for a revised contract amount of \$2,978,474

and the question being upon approving Change Order No. One to Contract K-1415-91 with Urban Contractors, L.L.C., increasing the contract amount by \$105,454 for a revised contract amount of \$2,978,474 and extending the contract time by 40 calendar days and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Change Order No. One to Contract K-1415-91 with Urban Contractors, L.L.C., increasing the contract amount by \$105,454 for a revised contract amount of \$2,978,474 and extending the contract time by 40 calendar days approved; the execution thereof was authorized and \$1,000,000 was appropriated from Project WW0200, SMP-13, Construction (321-9338-432.61-01) to the Sewer Maintenance Fund Balance (321-0000-253.00-00).

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Item 20, being:

CONTRACT K-1516-7: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND WHITE HAWK ENGINEERING & DESIGN, L.L.C., IN THE AMOUNT OF \$184,379.70 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE WIDENING AND TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTIONS OF ROCK CREEK ROAD AND 12TH AVENUE N.W. AND ROCK CREEK ROAD AND TRAILWOOD DRIVE.

Councilmember Williams moved that Contract K-1516-7 with White Hawk Engineering and Design, L.L.C., in the amount of \$184,379.70 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File K-1516-7 dated August 7, 2015, by Mike Rayburn, Capital Projects Engineer
2. Location map
3. Contract K-1516-7 with Attachment A, Scope of Services, Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner Responsibilities
4. Purchase Requisition 0000253518 dated August 11, 2015, in the amount of \$184,379.70 to White hawk Engineering and Design, L.L.C.

and the question being upon approving Contract K-1516-7 with White Hawk Engineering and Design, L.L.C., in the amount of \$184,379.70 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract K-1516-7 with White Hawk Engineering and Design, L.L.C., in the amount of \$184,379.70 approved; and the execution thereof was authorized.

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Councilmember Jungman asked that he be allowed to abstain from voting on Item 21 due to a conflict of interest. Thereupon, Councilmember Williams moved that Councilmember Jungman be allowed to abstain from voting on Item 21 due to a conflict of interest, which motion was duly seconded by Councilmember Holman; and the question being upon allowing Councilmember Jungman to abstain from voting on Item 21 due to a conflict of interest, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

ABSTAIN: Councilmember Jungman

The Mayor declared the motion carried and Councilmember Jungman was allowed to abstain from voting on Item 21 due to a conflict of interest.

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Item 21, being:

CONTRACT K-1516-44: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ATKINS NORTH AMERICA, INC., IN THE AMOUNT OF \$690,400 TO PROVIDE ENGINEERING DESIGN SERVICES, RIGHT-OF-WAY ACQUISITION, AND UTILITY RELOCATION SERVICES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT- DISASTER RELIEF (CDBG-DR) ROADWAY IMPROVEMENTS USING FUNDING AWARDED TO THE CITY OF NORMAN BY THE OKLAHOMA DEPARTMENT OF COMMERCE AS OUTLINED IN CONTRACT K-1415-108.

Councilmember Williams moved that Contract K-1516-44 with Atkins North America, Inc., in the amount of \$690,400 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Heiple;

Item 21, continued:

Items submitted for the record

1. Text File K-1516-44 dated August 10, 2015, by Tim Miles, Capital Project Engineer with table of projects and accounts
2. Location map
3. Contract K-1516-44 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
4. Purchase Requisition 0000253335 dated August 6, 2015, in the amount of \$690,400 to Atkins North America, Inc.

and the question being upon approving Contract K-1516-44 with Atkins North America, Inc., in the amount of \$690,400 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract K-1516-44 with Atkins North America, Inc., in the amount of \$690,400 approved; and the execution thereof was authorized.

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Item 22, being:

CONTRACT K-1516-45: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND FREDGREN QUALITY WORKS, LC, IN THE AMOUNT OF \$40,460 FOR THE LITTLE AXE CENTER KITCHEN REMODEL PROJECT, ADOPTION OF PROJECT AGENT RESOLUTION R-1516-13, AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Williams moved that Contract K-1516-45 with Fredgren Quality Works, LC., in the amount of \$40,460 be approved, the execution thereof be authorized and the Mayor be further authorized to sign Maintenance Bond MB-1415-8 contingent upon the City Attorney's approval, Resolution R-1516-13 be adopted; and \$10,460 be transferred from Project PR0123, Little Axe Improvements, Construction (050-9922-452.61-01), to Project EF0186, Little Axe Kitchen Improvement Project, Construction (050-9677-419.61-01), which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File K-1516-45 dated August 12, 2015, by James Briggs, Park Planner
2. Tabulation of Bid Quotes dated August 11, 2015, for the Little Axe Kitchen Improvement Project
3. Contract K-1516-45
4. Maintenance Bond MB-1516-8
5. Resolution R-1516-13

and the question being upon approving Contract K-1516-45 with Fredgren Quality Works, LC., in the amount of \$40,460 and upon the subsequent authorizations, adoption, and transfer, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract K-1516-45 with Fredgren Quality Works, LC., in the amount of \$40,460 approved; the execution thereof was authorized and the Mayor was further authorized to sign Maintenance Bond MB-1415-8 contingent upon the City Attorney's approval, Resolution R-1516-13 was adopted, and \$10,460 was transferred from Project PR0123, Little Axe Improvements, Construction (050-9922-452.61-01), to Project EF0186, Little Axe Kitchen Improvement Project, Construction (050-9677-419.61-01).

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Item 23, being:

CONTRACT K-1516-48: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOTBALL ACADEMY, INC., FOR THE USE OF GRIFFIN COMMUNITY PARK FOOTBALL FIELDS FOR THE PARKS AND RECREATION DEPARTMENT FOR A PERIOD OF THREE YEARS.

Councilmember Williams moved that Contract K-1516-48 with Football Academy, Inc., for a period of three years be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File K-1516-48 dated August 14, 2015, by Jud Foster, Director of Parks and Recreation
- 2. Location map
- 3. Contract K-1516-48 with Exhibit A, Responsibilities of Football Academy, Inc., and Exhibit B, Responsibilities of the City of Norman

and the question being upon approving Contract K-1516-48 with Football Academy, Inc., for a period of three years and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract K-1516-48 with Football Academy, Inc., for a period of three years approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 24, being:

CONTRACT K-1516-49: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN YOUTH SOCCER ASSOCIATION, INC. FOR THE USE OF GRIFFIN COMMUNITY PARK FOR PARKS AND RECREATION DEPARTMENT FOR A PERIOD OF THREE YEARS.

Councilmember Williams moved that Contract K-1516-49 with Norman Youth Soccer Association for a period of three years be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File K-1516-49 dated August 14, 2015, by Jud Foster, Director of Parks and Recreation
- 2. Location map
- 3. Contract K-1516-49

and the question being upon approving Contract K-1516-49 with Norman Youth Soccer Association for a period of three years and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract K-1516-49 with Norman Youth Soccer Association for a period of three years approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 25, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF AN ARMORED ALL-PURPOSE RESCUE VEHICLE FROM LENCO INDUSTRIES, INC. IN THE AMOUNT OF \$280,000 FOR THE NORMAN POLICE DEPARTMENT AND BUDGET APPROPRIATION FROM THE SEIZURES AND RESTITUTION FUND BALANCE.

Councilmember Castleberry having moved in City Council’s meeting of July 28, 2015, that authorization for the purchase of an all-purpose vehicle from Lenco Industries, Inc., in the amount of \$275,000 for the Norman Police Department be approved, which motion having been duly seconded by Councilmember Lang, Councilmember Williams moved that authorization for the purchase of an all-purpose vehicle from Lenco Industries, Inc., in the amount of \$275,000 for the Norman Police Department be postponed indefinitely until such time that staff brings the item back to a future Council agenda, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File GID-1516-15 dated July 16, 2015, by Captain Todd Gibson
- 2. Letter dated July 16, 2015, from James J. Massery, Sales Manager, Lenco Armored Vehicles to Captain Todd Gibson, Norman Police Department
- 3. Quotation 1255A dated July 16, 2015, in the amount of \$274,887 from Lenco Armored Vehicles
- 4. Example of vehicle

and the question being upon postponing indefinitely authorization for the purchase of an all-purpose vehicle from Lenco Industries, Inc., in the amount of \$275,000 for the Norman Police Department until such time that staff brings the item back to a future Council agenda a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and authorization for the purchase of an all-purpose vehicle from Lenco Industries, Inc., in the amount of \$275,000 for the Norman Police Department was postponed indefinitely until such time that staff brings the item back to a future Council agenda.

\* \* \* \* \*

Item 26, being:

CONSIDERATION OF ORDINANCE O-1516-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADOPTING AND RATIFYING THE ASSESSMENT ROLL FOR THE UNIVERSITY NORTH PARK BUSINESS IMPROVEMENT DISTRICT; ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT OR AN INSTALLMENT THEREOF; SETTING FORTH THE TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST AND RECORD WITH THE COUNTY CLERK OF CLEVELAND COUNTY, FOLLOWING PASSAGE OF THE PAYMENT DEADLINE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-1516-10 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2015, Councilmember Williams moved that Ordinance O-1516-10 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File O-1516-10 dated August 3, 2015, by Kathryn Walker, Assistant City Attorney
- 2. Ordinance O-1516-10 with Exhibit A, Assessment Roll and Assessment Plat

Participants in discussion

- 1. Ms. Kathryn Walker, Assistant City Attorney

Item 26, continued:

and the question being upon adopting Ordinance O-1516-10 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1516-10 was adopted upon Second Reading section by section.

Item 26, continued:

Thereupon, Councilmember Williams moved that Ordinance O-1516-10 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Heiple; and the question being upon adopting Ordinance O-1516-10 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1516-10 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 27, being:

RESOLUTION R-1516-5: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE LOTS 4 THROUGH 7, BLOCK 2, COLLEY'S 1ST ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE INSTITUTIONAL DESIGNATION AND PLACE THE SAME IN THE COMMERCIAL DESIGNATION. (601 NORTH PORTER AVENUE)

Councilmember Williams moved that Resolution R-1516-5 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File R-1516-5 dated June 10, 2015, by Jane Hudson, Principal Planner
2. Resolution R-1516-5
3. Location map
4. Staff Report dated July 9, 2015, recommending approval
5. Predevelopment Summary Case PD 15-18 dated June 25, 2015, from Bison Ridge Investments for property located at 601 North Porter Avenue
6. Greenbelt Final Comments dated June 15, 2015
7. Pertinent excerpts from Planning Commission minutes of July 9, 2015

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant

and the question being upon adopting Resolution R-1516-5 and upon the subsequent amendment, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution R-1516-5 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

\* \* \* \* \*

Item 28, being:

CONSIDERATION OF ORDINANCE O-1516-2 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 REMOVE LOT 7, BLOCK 2, COLLEY'S 1ST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT AND PLACE THE SAME IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (601 NORTH PORTER AVENUE).

Ordinance O-1516-2 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2015, Councilmember Williams moved that Ordinance O-1516-2 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File O-1516-2 dated June 10, 2015, by Jane Hudson, Principal Planner
2. Ordinance O-1516-2
3. Location map
4. Staff Report dated July 9, 2015, recommending approval
5. Restaurant Site Layout Study dated February 26, 2015
6. Pertinent excerpts from Planning Commission minutes of July 9, 2015

and the question being upon adopting Ordinance O-1516-2 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1516-2 was adopted upon Second Reading section by section.

Thereupon, Councilmember Williams moved that Ordinance O-1516-2 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1516-2 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1516-2 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 29, being:

CONSIDERATION OF ORDINANCE O-1516-3 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE PUBLIC RIGHT-OF-WAY LOCATED BETWEEN LOTS 4, 5 AND 6 AND LOT 7, BLOCK 2, G.H. COLLEY'S 1ST ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (601 NORTH PORTER AVENUE).

Ordinance O-1516-3 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2015, Councilmember Williams moved that Ordinance O-1516-3 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File O-1516-3 dated June 10, 2015, by Ken Danner, Subdivision Development Manager
2. Ordinance O-1516-3
3. Location map

Item 29, continued:

Items submitted for the record, continued

4. Memorandum dated June 8, 2015, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; Roné Tromble, Administrative Technician IV; and Jane Hudson, Principal Planner
5. Letter of request received June 8, 2015, from Sean Paul Rieger, P.L.L.C., Attorney at Law and Architect, The Rieger Law Group, with Exhibit A, location map, and Exhibit B, radius map and certified owners list
6. Letter of No Objection received July 30, 2015, from Henry Bluejacket, ONE Gas Real Estate Services, Oklahoma Natural Gas, a Division of ONE Gas, to Ms. Brenda Hall, City Clerk
7. Email from John Bentley, Services Engineer, Oklahoma Electric Cooperative, to Ken Danner
8. Staff Report dated July 9, 2015, recommending approval
9. Pertinent excerpts from Planning Commission minutes of July 9, 2015

and the question being upon adopting Ordinance O-1516-3 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance O-1516-3 was adopted upon Second Reading section by section.

Thereupon, Councilmember Williams moved that Ordinance O-1516-3 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1516-3 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance O-1516-3 was adopted upon Final Reading as a whole.

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Item 30, being:

CONSIDERATION OF ORDINANCE O-1516-4 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 REMOVE PART OF THE NORTHEAST QUARTER OF SECTION ELEVEN (11), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE A-1, GENERAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4630 EAST FRANKLIN ROAD)

Ordinance O-1516-4 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2015, Councilmember Heiple moved that Ordinance O-1516-4 be postponed until October 13, 2015, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File O-1516-4 dated June 10, 2015, by Jane Hudson, Principal Planner
2. Ordinance O-1516-4
3. Location map
4. Staff Report dated July 9, 2015, recommending approval
5. Pertinent excerpts from Planning Commission minutes of July 9, 2015
6. Email requesting postponement dated August 25, 2015, from Joseph Neely to Brenda Hall

Item 30, continued:

Participant in discussion

- 1. Mr. Joe Neely, 4630 East Franklin Road, applicant

and the question being upon postponing Ordinance O-1516-4 until October 13, 2015, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1516-4 was postponed until October 13, 2015.

\* \* \* \* \*

Item 31, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR NEELY ACRES ADDITION. (GENERALLY LOCATED ON THE SOUTH SIDE OF FRANKLIN ROAD APPROXIMATELY 1/4 MILE WEST OF 48TH AVENUE N.E.)

Councilmember Williams moved that the preliminary plat for Neely Acres Addition be postponed until October 13, 2015, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File PP-1516-2 dated June 10, 2015, by Ken Danner, Development Manager, with Attachment A, Traffic Impacts
- 2. Location map
- 3. Preliminary plat
- 4. Staff Report dated July 9, 2015, recommendation approval
- 5. Transportation Impacts Development Review Form dated June 10, 2015, reviewed by David R. Riesland, P.E., City Traffic Engineer, for Neely Acres Preliminary Plat
- 6. Predevelopment Summary Case PD 15-19 dated June 25, 2015, for Joseph and Taya Neely for property located at 4630 East Franklin Road
- 7. Pertinent excerpts from Planning Commission minutes of July 9, 2015
- 8. Email requesting postponement dated August 25, 2015, from Joseph Neely to Brenda Hall

and the question being upon postponing the preliminary plat for Neely Acres Addition until October 13, 2015, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the preliminary plat for Neely Acres Addition was postponed until October 13, 2015.

\* \* \* \* \*

Item 32, being:

CONSIDERATION OF ORDINANCE O-1415-44 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 GRANT SPECIAL USE FOR A MIXED BUILDING IN THE C-3, INTENSIVE COMMERCIAL DISTRICT FOR LOTS 13 AND 14, BLOCK 13, ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (226-228 EAST MAIN STREET)

Ordinance O-1415-44 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2015, Councilmember Williams moved that Ordinance O-1415-44 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Item 32, continued:

Items submitted for the record

1. Text File O-1415-44 dated May 15, 2015, by Janay Greenlee, Planner
2. Ordinance O-1415-44
3. Location map
4. Staff Report dated July 9, 2015, recommending approval
5. Email requesting postponement dated June 2, 2015, from Jim Adair, Adair and Associates Real Estate, to Susan Connors
6. Memorandum dated June 3, 2015, from Janay Greenlee, Planner II, to Chairman and Members, Norman Planning Commission
7. Pertinent excerpts from Planning Commission minutes of June 11 and July 9, 2015

Participant in discussion

1. Mr. Jim Adair, 111 North Peters Avenue, applicant

and the question being upon adopting Ordinance O-1415-44 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1415-44 was adopted upon Second Reading section by section.

Thereupon, Councilmember Williams moved that Ordinance O-1415-44 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1415-44 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1415-44 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Councilmember Heiple asked that he be allowed to abstain from voting on Items 33, 34, and 35 to a conflict of interest. Thereupon, Councilmember Williams moved that Councilmember Heiple be allowed to abstain from voting on Items 33, 34, and 35 due to a conflict of interest, which motion was duly seconded by Councilmember Miller; and the question being upon allowing Councilmember Heiple to abstain from voting on Items 33, 34, and 35 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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ABSTAIN:	Councilmember Heiple
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The Mayor declared the motion carried and Councilmember Heiple was allowed to abstain from voting on Items 33, 34, and 35 due to a conflict of interest.

\* \* \* \* \*

Item 33, being:

CONSIDERATION OF ORDINANCE O-1415-41 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 REMOVE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE, TOWNSHIP NINE NORTH, RANGE TWO WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, FROM UNCLASSIFIED AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST SIDE OF REED AVENUE APPROXIMATELY 481' SOUTH OF MAIN STREET)

Ordinance O-1415-41 having been Introduced and adopted upon First Reading by title in City Council's meeting of August 11, 2015, Councilmember Williams moved that Ordinance O-1415-41 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File O-1415-41 dated May 15, 2015, by Jane Hudson, Principal Planner
2. Amended Ordinance O-1415-41, with revised Planned Unit Development Application for Rezoning and Preliminary Development Plan/Plat submitted May, 2015, revised June 3, 2015, and revised August 18, 2015, prepared by Tom McCaleb, P.E., SMC Consulting Engineers, P.C., with revised Exhibit A, Preliminary Plat; revised Exhibit B, Preliminary Site Development Plan; revised Exhibit C, Proposed Open Space; Exhibit D, Illustrations of Units and Project; Exhibit E, Illustrations of Unit Elevations; and Exhibit F, Illustrations of Main Office Facility
3. Legislatively notated copy of Ordinance O-1415-41
4. Original Ordinance O-1415-41 with Planned Unit Development Application for Rezoning and Preliminary Development Plan/Plat submitted May, 2015 and revised June 3, 2015, prepared by Tom McCaleb, P.E., SMC Consulting Engineers, P.C., with Exhibit A, Preliminary Plat; Exhibit B, Preliminary Site Development Plan; Exhibit C, Proposed Open Space; Exhibit D, Illustrations of Units and Project; Exhibit E, Illustrations of Unit Elevations; and Exhibit F, Illustrations of Main Office Facility
5. Location map
6. Staff Report dated June 11, 2015, recommending approval
7. Protest Map dated August 19, 2015, containing 16.2% Protest Within Notification Area
8. Petition of Protest received June 8, 2015, containing 24 signatures
9. Petition of Protest received June 9, 2015, containing 29 signatures
10. Two emails of protest received June 8, 2015, from Gene and Myra Karnes to Rebekah Ann Fisher
11. Letter of protest received June 3, 2015, from Amberlee Darold, Seismologist, Oklahoma Geological Survey, to Whom It May Concern
12. Letter of protest received June 8, 2015, from Rebekah A. Fisher, RN., BSN, to City Clerk
13. Letter of protest received June 9, 2015, from Jacqueline Moreno to Planning Department
14. Letters of protest received June 4, 2015, from Hope Ewing to City Clerk
15. Letters of protest received June 9, 2015, from Sue Sanders to Whom This May Concern
16. Letter of protest received June 9, 2015, from Dara Sanders to Zoning Committee
17. Letter of protest received June 9, 2015, from Sue Sanders and Ginger Benton to City Planners
18. Letters of protest received June 9 and August 13, 2015, from Sue Sanders to Whom It May Concern
19. Letter of protest received June 9, 2015, from Susan A. Sanders
20. Letter of protest received June 8, 2015, from Andrew J. Kochevar, M.D., to City of Norman Planning Department
21. Letter of protest received June 5, 2015, from Andrew J. Kochevar, M.D., to City Clerk with Attachment 1, Housing and Urban Development Strategic Plan, Goal 2: Meet the Need for Quality Affordable Homes; Attachment 2, information from Leadership Oklahoma about April Heiple; and Attachment 3, City of Norman Web Page Biography of Mayor Cindy Rosenthal
22. Letter of protest received May 27, 2015, from Andrew J. Kochevar, M.D., to City Clerk
23. Petition of protest filed August 13, 2015, containing 32 signatures
24. Pertinent excerpts from Planning Commission minutes of June 11, 2015
25. List by Ward of Citizen's Support of Food and Shelter Application to Develop 3 acres on Reed Avenue containing 212 names

Item 33, continued:

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Richard McKown, 4409 Cannon Drive, made comments
3. Ms. April Heiple, Executive Director, Food and Shelter, Inc., applicant
4. Mr. Keith Humphrey, Police Chief
5. Mr. Mark Campbell, 517 North University Boulevard, protestant
6. Ms. Mary Francis, 850C Cardinal Creek Condos, proponent
7. Mr. John High, 1705 Dakota Street, proponent
8. Mr. Sean Braddy, 1406 Kansas Street, proponent
9. Ms. Sue Sanders, 148 Reed Avenue, protestant
10. Ms. Jan Astani, 808 Landsdowne Drive, proponent
11. Ms. Jennifer Zumwalt, 128 East Hughbert Street, made comments
12. Mr. Todd Perkins, 144 Reed Avenue, protestant
13. Ms. Tish Marek, Food and Shelter, Inc., Board President, 4408 Brighton Court
14. Ms. Rebekah Fisher, 912 East Eufaula Avenue, protestant
15. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
16. Mr. Bill Nunez, 120 South Cook Avenue, proponent
17. Mr. Mike Cordial, 980 North State Drive, Apt 6, proponent
18. Mr. D.J. Brown, homeless, proponent
19. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
20. Ms. Kaitlyn Sanders, Ward One, proponent
21. Reverend Hugh Wilson, 3832 Northridge Road, proponent
22. Ms. Sierra Bradford, proponent
23. Ms. Sunny Hill, 1017 Parsons Street, proponent
24. Mr. Bobby Stevens, Post Office Box 6226, protestant
25. Ms. Hope Ewing, 142 Reed Avenue, protestant
26. Mr. Harold Heiple 2011 Morgan Drive, proponent
27. Mr. Richard Auer, 2509 Beaurue Drive, made comments

Thereupon, Councilmember Williams moved that Section 5 of Ordinance O-1415-41 be amended to read as follows:

\* \* \*

§ 5. Further, the following condition is hereby attached to the zoning of the tract:

- a. The site shall be developed in accordance with the revised PUD Narrative with Exhibits A through E, submitted by the applicant on August 18, 2015, approved by the Planning Commission on June 11, 2015, and supporting documentation submitted by the applicant and approved by the Planning Commission, and made a part hereof.

\* \* \*

which motion was duly seconded by Councilmember Miller; and the question being upon amending Section 5 of Ordinance O-1415-41 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Heiple

The Mayor declared the motion carried and Section 5 of Ordinance O-1415-41 was amended as stated above.

Item 33, continued:

and the question being upon adopting Ordinance O-1415-41, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Holman, Jungman, Miller, Williams, Mayor Rosenthal
NAYES:	Councilmember Lang
ABSTAIN:	Councilmember Heiple

The Mayor declared the motion carried and Ordinance O-1415-41, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Williams moved that Ordinance O-1415-41, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1415-41, as amended, upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Holman, Jungman, Miller, Williams, Mayor Rosenthal
NAYES:	Councilmember Lang
ABSTAIN:	Councilmember Heiple

The Mayor declared the motion carried and Ordinance O-1415-41, as amended, was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 34, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR FOOD AND SHELTER ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE EAST SIDE OF REED AVENUE APPROXIMATELY 481' SOUTH OF EAST MAIN STREET).

Councilmember Williams moved that the preliminary plat for Food and Shelter Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File PP-1415-25 dated May 15, 2015, by Ken Danner, Subdivision Development Manager, with Attachment A, Traffic Impacts
2. Location map
3. Revised preliminary plat dated August 19, 2015
4. Preliminary plat submitted to Planning Commission
5. Revised preliminary site development plan dated August 19, 2015
6. Preliminary site development plan submitted to Planning Commission
7. Staff Report dated June 11, 2014, recommendation approval
8. Transportation Impacts Development Review Form dated May 18, 2015, reviewed by David R. Riesland, P.E., City Traffic Engineer, for Food and Shelter Addition, a Planned Unit Development
9. Predevelopment Summary Case PD 15-14 dated May 28, 2015, for Food and Shelter for property located on the east side of Reed Avenue approximately 480 feet south of East Main Street
10. Greenbelt Commission Final Comments dated May 18, 2015
11. Pertinent excerpts from Planning Commission minutes of June 11, 2015

Participants in discussion

1. Ms. Sue Sanders, 148 Reed Avenue, protestant
2. Ms. Hope Ewing, 142 Reed Avenue, protestant
3. Mr. Mark Campbell, 517 North University Boulevard, made comments
4. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
5. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

Item 34, continued:

and the question being upon approving the preliminary plat for Food and Shelter Addition, a Planned Unit Development, a vote was taken with the following result:

- YEAS: Councilmembers Allison, Castleberry, Holman, Jungman, Miller, Williams, Mayor Rosenthal
- NAYES: Councilmember Lang
- ABSTAIN: Councilmember Heiple

The Mayor declared the motion carried and the preliminary plat for Food and Shelter Addition, a Planned Unit Development, was approved.

\* \* \* \* \*

Councilmember Jungman asked that he be allowed to abstain from voting on Item 35 due to a conflict of interest. Thereupon, Councilmember Williams moved that Councilmember Jungman be allowed to abstain from voting on Item 35 due to a conflict of interest, which motion was duly seconded by Councilmember Holman; and the question being upon allowing Councilmember Jungman to abstain from voting on Item 35 due to a conflict of interest, a vote was taken with the following result:

- YEAS: Councilmembers Allison, Castleberry, Holman, Lang, Miller, Williams, Mayor Rosenthal
- NAYES: None
- ABSTAIN: Councilmember Heiple and Jungman

The Mayor declared the motion carried and Councilmember Jungman was allowed to abstain from voting on Item 35 due to a conflict of interest.

\* \* \* \* \*

Item 35, being:

CONTRACT K-1516-4: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER, INC. IN THE AMOUNT OF \$75,000 FOR ACQUISITION OF PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF REED AVENUE AND EAST EUFAULA AVENUE.

Councilmember Williams moved that Contract K-1516-4 with Food and Shelter, Inc., in the amount of \$75,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Miller;

Items submitted for the record

- 1. Text File K-1516-4 dated May 11, 2015, by Lisa Krieg, Grants Planner
- 2. Location map
- 3. Contract K-1516-4
- 4. Purchase Order 264862 dated June 29, 2015, in the amount of \$75,000 to Food and Shelter for Friends

Participants in discussion

- 1. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon approving Contract K-1516-4 with Food and Shelter, Inc., in the amount of \$75,000 and upon the subsequent authorization, a vote was taken with the following result:

- YEAS: Councilmembers Allison, Castleberry, Holman, Miller, Williams, Mayor Rosenthal
- NAYES: Councilmember Lang
- ABSTAIN: Councilmembers Heiple and Jungman

The Mayor declared the motion carried and Contract K-1516-4 with Food and Shelter, Inc., in the amount of \$75,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 36, being:

#### MISCELLANEOUS DISCUSSION

State Teacher of the Year. Ms. Ann Gallagher, 1522 East Boyd Street, announced that the Norman Public School Teacher of the year, Shawn Sheehan, a Special Education teacher at Norman High School, has been named the State Teacher of the Year and congratulated him for this achievement.

\*

Customer Service at Norman Public Library. Ms. Ann Gallagher, 1522 East Boyd Street, said instead of dropping off her book from Norman Public Library in the drop box outside, she went inside. She said there were many people in line at the automated machine used for returning library items and the machine is not user friendly because all returns must be done one at a time. She said Customer Service has been lost.

\*

Food and Shelter. Mr. Mark Campbell, 517 North University Boulevard, said that an inclusive community uses blended housing by blending the destitute with the affluent; however, the new Food and Shelter development will further segregate housing and services.

Mr. Steve Ellis, 633 Reed Avenue, thanked Council for approving the Food and Shelter items tonight and that he lived fairly close to the site but was not worried for his safety.

Mr. Casey Holcomb, 1923 Crystal Circle, thanked City Council for approving the Food and Shelter items this evening and that all the concerns people had about security are overblown. He said his mother served as the first Executive Director of Food and Shelter and that he and his sister went to work with her many times. He said it was not a dangerous environment in any way and instead it was warm and welcoming and it was a very good experience.

\*

Armored Vehicle. Mr. Richard Auer, 2509 Beaurue Drive, said there are other ways to deal with the violence in society and the purchase of the armored vehicle gives the perception of a military society that people need to take a stand against. He said if there is a problem with people being victimized, money should be put towards martial arts training and teaching women to defend themselves.

Mr. Steve Ellis, 633 Reed Avenue, said he likes that the City has made a commitment to participate in Community Oriented Policing and his main concern about the purchase of the armored vehicle is that it will have some implications for Community Oriented Policing. He asked that when City Staff does further evaluation on this purchase and other kinds of purchases of police equipment, that they broaden their research efforts to include looking at best practices for Community Oriented Policing. He said he emailed all of Council a copy of the President's Task Force of 21st Century Policing that contains a series of best practice recommendations that come out of the community policing movement from the Department of Justice.

Mr. Casey Holcomb, 1923 Crystal Circle, said there has been a lot of good feedback from the community voicing their concerns about this purchase. He said he wants a no vote on this item and personally does not want it to come back for consideration. He said this money could be spent in better ways, such as community partnerships, training Student Resource Officers, or providing additional cultural literacy training. He said Federal law explicitly provides that seized funds are to be used for training and education in drug abuse prevention and rehabilitation. He said drug abuse should be looked at as a medical issue that requires compassion and care. He said he has concerns about transparency since this armored vehicle was on the consent docket with no public comment or discussion allowed. He said many of the appropriations from the Seizures and Restitution come before Council on the consent docket and he would like to see a much closer examination of how those seized funds are spent. He thanked the Norman Police Department for their service to the Community and said they did a great job without an armored vehicle.

\*

Leaking Oil Wells. Mr. Casey Holcomb, 1923 Crystal Circle, there is an article that was recently published that cited a study from the United States Fish and Wildlife Service noting that slow seepage from oil wells is a serious threat to wildlife and groundwater. He said when City Council voted to amend the oil and gas drilling ordinance, the ordinance specifically exempted slow seepage and intermittent leaks and Council needs to look at this again.

\*

Miscellaneous Discussion, continued:

Bathroom at Norman Public Library. Mr. John High, 1705 Dakota Street, said the restrooms are not acceptable at Norman Public Library. He asked that it be addressed immediately.

\*

Sidewalks on Alameda Street. Mr. John High, 1705 Dakota Street, thanked Mr. Shawn O’Leary, Director of Public Works, for a job well done on the sidewalks by the bus stops on Alameda Street.

\*

Stop Signs. Mr. Bobby Stevens, Post Office Box 6226, reported there are approximately seven stop signs covered by trees in the area between Alameda and Lincoln School and also by the Senior Citizens Center.

\*

Little Axe Kitchen Remodel Councilmember Miller said she was very happy about the remodel of the kitchen at the Little Axe Community Center because this kitchen serves lots of people. She is glad that there have been so many improvements in the Little Axe area recently.

\*

Thanks to Larry Knapp. Councilmember Heiple thanked Mr. Larry Knapp from the Planning Department who helps with audio visual needs at Council meetings.

\*

Norman High School. Councilmember Holman said this past week Newsweek Magazine listed Norman High School as the 128th Best High School in the United States for low income students and the 477th Best High School Overall. He said only four high schools in the state made this list. He said he was very proud of his Alma Mater.

\*

Cedar Lane. Councilmember Holman said the largest transportation package in Norman’s history was approved by voters in 2012. He said this package included several projects throughout the City of Norman and the first one of those projects to be completed is Cedar Lane Road south of 12th Avenue S.E. He announced the official ribbon cutting ceremony for Cedar Lane Road will be Friday, August 28th at 10:00 a.m. at the intersection of 12th Avenue S.E. and Cedar Lane Road. He said this street is the first new street in Norman to have bike lanes built into it that are regulation length and a different color than the street. These bike lanes are included on five new streets in Norman and he is excited this street is in his ward. He said those with bicycles are invited to take an inaugural ride on the new bike path.

\*

Thanks for Coming Tonight. Councilmember Holman thanked everyone for attending this evening and expressing their opinions.

\* \* \* \* \*

ADJOURNMENT

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

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 10:19 p.m.

ATTEST:

Brenda Hall  
City Clerk



Cordy Rosenthal  
Mayor