CITY COUNCIL STUDY SESSION MINUTES

October 20, 2015

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:30 p.m. in the Municipal Building Conference Room on the 20th day of October, 2015, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Holman, Lang, Miller, Williams, and Mayor Pro-Tem Jungman
TARDY:	Councilmember Heiple and Mayor Rosenthal*
ABSENT:	Councilmember Allison

*Mayor Rosenthal arrived at 5:32 p.m. and Councilmember Heiple arrived at 5:50 p.m.

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Mayor Pro-Tem Jungman said there was a recent misunderstanding regarding posting of the City Council Study Session Agenda for tonight's meeting and Mr. Jeff Bryant, City Attorney, will briefly address that.

Mr. Bryant said a problem was reported regarding opening a link to tonight's agenda on the City's website and Staff immediately looked into the problem. He said Title 25, Section 311, of the Open Meetings Act (OMA) requires posting of an annual schedule for regular meetings and posting of agendas at least 24 hours before the meeting. He said another state statute in Title 74 that references website posting of agendas and does require cities to post agenda on their websites. He said the October 20th Study Session Agenda was posted at the principal place of business, City Hall, on Friday, October 23, 2015. He said the City endeavors to do post agendas on the website and found that agenda to be available in two of three places on the website Friday; however, a third link was not connecting to the agenda. In his opinion, being able to open the agenda in two locations on the website is fully compliant with Title 74. He said Title 74 is pretty specific that it does not impose additional obligations under the OMA so the fact the City did post the agenda at the principal place of business in accordance with the OMA would have satisfied the requirement for posting to be able to hold the meeting even if the web posting would have failed. The web posting did not fail because the agenda could be opened in two locations on the City's website.

Councilmember Castleberry said he did not understand because Mr. Bryant said web postings are required, and yet at the same time is saying the City is compliant. Mr. Bryant said web posting is required, but does not invalidate holding the meeting. Councilmember Castleberry asked what would have happened had the agenda not been posted on the website and Mr. Bryant said not posting an agenda on the website would not have any effect on the validity of the meeting.

Ms. Hampton said she investigated the complaint regarding posting of the agenda on the website and feels very comfortable that the agenda had been posted to the web and that it was available to the public. Furthermore, the meeting was an informational meeting not a voting meeting. She said the City of Norman tries to be very open and transparent and she appreciates that.

Item 1, being:

DISCUSSION REGARDING A PROPOSED 2016-2020 STREET MAINTENANCE BOND PROGRAM.

Mr. Shawn O'Leary, Director of Public Works, introduced Mr. Greg Hall, Street Maintenance Superintendent, and Mr. Stan West, Street Maintenance Supervisor.

Mr. O'Leary said a citizen survey was completed in 2009 and the Street Maintenance Bond Program (SMBP) was based on the answers to that survey. The citizens feel that street maintenance is one of the most important services Norman provides. Another survey was completed in 2011, as part of the Comprehensive Transportation Plan (CTP), that focused on transportation only and, again, street maintenance of existing streets was listed as one of the important services the City provides along with eliminating traffic congestion. The message from citizens has always been, "take care of what we have," and that is the basis for the SMBP.

Councilmember Miller asked who the people were that were surveyed and Mr. O'Leary the surveys were random, but are statistically accurate surveys.

In March 2005, an election was held for the SMBP in the amount of $10,950,000 with 53.6% voter approval and a second election was held in 2010, for bonds in the amount of $19,000,000 with 64.7% voter approval. Staff is proposing a third SMBP election in the amount of $25,000,000 to be held in March 2016. He said there will be no additional tax increase for the bond proposal.

Mr. O'Leary said key elements of the SMBP include the following:

- Neighborhood Streets
- Balanced Program
    - Urban Asphalt
    - Rural Roads
    - Urban Concrete
    - Urban Reconstruction
- Specific Listing of Streets
- Documented Results
- Partnership with Cleveland County

Mr. O'Leary highlighted the 2005-2010 and 2010-2015 SMBP's as follows:

	2005-2010 Lane Miles	2005-2010 Actual Cost	2010-2015 Lane Miles	2010-2015 Actual Cost
Urban Asphalt Streets	65.0	$5,324,205	43.0	$8,250,000
Urban Concrete Streets	18.1	$4,825,795	80.0	$4,500,000
Rural Roads	8.0	$800,000	80.0	$2,250,000
Urban Reconstruction	N/A	N/A	4.06	$4,000,000
Totals	91.1	$10,950,000	207.06	$19,000,000

Mr. O'Leary highlighted the current status of the 2010-2015 SMBP and said $19,000,000 was authorized and $11,960,641 has been spent to date. He said funds, in the amount of $4,173,426, have been allocated to remaining projects with a remaining balance of $2,865,933. He said all streets specified in the 2010 SMBP have been completed or will be under contract by July 26, 2016. The remaining balance is due to favorable bids in the Urban Asphalt Program.

The proposed 2016-2020 SMBP includes $25,000,000, no new tax, to be used as follows:

- $5,000,000 for Roadway Reconstruction
- $20,000,000 for Rehabilitation/Maintenance
    - 40% Urban Asphalt Rehabilitation/Maintenance
    - 45% Urban Concrete Rehabilitation/Maintenance
    - 15% Rural Road Rehabilitation/Maintenance
    - (Complete paving of all unpaved public roads)
- Bicycle Safety Features (i.e., grates and drainage structure modifications where applicable)
- Perform necessary drainage improvements (i.e., minor storm water sewer extensions, valley gutters, rural roadside drainage culverts)
- Americans with Disabilities Act (ADA) improvements as needed

Mr. O'Leary highlighted pavement condition percentages as 1) excellent – 85-100; 2) very good – 80-84; 3) good – 70-79; 4) fair – 60-69; poor – 40-59; and 5) very poor – 10-39. He said the City's goal is all streets have a rating of good or above because it is less expensive to maintain.

Councilmember Lang asked how Staff determines percentages and priorities and Mr. O'Leary said the City contracts with a company, Infrastructure Management Systems (IMS), who determines where the City can get the "best bang for the buck." Mr. Hall said every five years the City tests every street and some section line miles are broken into segments making this process very intensive. Councilmember Lang asked if sections are one block or one mile and Mr. Hall some streets listed for maintenance could be no more than a couple of hundred feet long while a large arterial street could be one or two miles.

Councilmember Castleberry asked if maintenance is based on quality of the street not necessarily on school routes or traffic counts and Mr. O'Leary said yes, maintenance is purely based on pavement condition of the street. Mr. O'Leary said the IMS provides an equal rating system for all streets, which is tough to do when dealing with asphalt, concrete, two lanes, four lanes, etc.

Councilmember Lang said some of the streets listed for maintenance are in relatively new developments, but have a high priority percentage of 56%. He asked if there is some type of protection to the City once the City has accepted a street, but it fails before is should or is the City just out of luck. Mr. O'Leary said there is usually is a good reason why a street fails, but a 56% rating would indicate a street that would be twenty years old or more. Mr. Hall said the City's consultant could retest the street to make sure the initial testing for maintenance was properly done. He said contractors are usually required to make any repairs or upgrades before streets are accepted. Councilmember Lang said the reason for the failure needs to be checked out before the City starts allocating funds for maintenance of that street and Mr. Hall said the City will not spend money on any street that is still under warranty that requires the contractor to repair. Mr. O'Leary said the theory is that every roadway development is built to City standards, but there have been quality issues in some areas where the street is 20 years old and the issue should not be happening at that age.

Councilmember Heiple asked if the City has enough Staff to check the quality of all new streets and Mr. O'Leary said the City has two inspectors for all development projects so they are basically doing a spot check and moving on to the next project. He said there are cities that devote more resources, but Norman's inspections are based on an honor system so if there is something unscrupulous going on the inspectors are not necessarily going to catch that. The City likes to think it hires scrupulous contractors that have a good, solid set of standards.

Mayor Rosenthal felt it important, going forward, to have some comparative data on how the City stands relative to other communities in terms of resources devoted to inspections and what the City is getting in terms of quality. She said at some point the City needs to have some sense of comparative metrics. Councilmember Williams asked if IMS uses a standardized measuring system that is utilized industry wide or is this something that was developed locally. Mr. O'Leary said IMS is the one of the top three companies in the country and Mr. Hall said IMS works nationwide and they will not give out data on other cities; however, they do say Norman is comparative to similar sized cities. Mr. Steve Lewis, City Manager, said some of this discussion may leave people the impression that quality control is just people looking at things, but there is a lot of quality geo-tech testing involved that includes pavement thickness, pavement hardening, etc. Mr. O'Leary said the contractor has to have an independent, third party, geo-technical firm do all the soil testing, concrete testing, etc. Councilmember Castleberry asked if testing will determine thickness of concrete and Mr. O'Leary said yes, and the City has a standard thickness that must meet a certain metric and the City will make the contractor remove and replace the asphalt or concrete if it does not meet that standard.

Mr. O'Leary said every street or roadway has a drainage system so there is the opportunity for minor drainage improvements with these bond projects. He said Norman is trying to be a more bicycle friendly community so the City has storm inlets that are not bicycle friendly, which are being replaced as well. He said sidewalks ramps are added to make the areas more ADA accessible. There is more to the maintenance program than asphalt and concrete maintenance.

Mr. O'Leary said urban asphalt pavement maintenance strategies include deep patch repairs, milling and repaving, crack sealing, and surface sealing, i.e., slurry seal, micro surfacing, and rejuvenating seal coat. He said urban concrete pavement maintenance strategies include pavement panel replacement (typical panel is 12 feet by 15 feet), concrete replacement (large areas of panels), and joint/crack sealing. Rural road maintenance strategies include deep patch base repair performed by City/County forces, asphalt paving performed by City forces, rights-of-way drainage improvements to replace undersized or obsolete culverts, and roadside drainage ditch clearing performed by City/County forces, and complete paving of all unpaved public roads. Urban reconstruction strategies include removal of existing pavement and curb/gutter, stabilizing subgrade, new curb/gutter and drive approaches, full depth paving, drainage improvements, if required, completely reconstruct 2.6 lane miles of urban streets, and full engineering design and construction oversight/inspection.

Mr. O'Leary highlighted the streets that will be a part of the urban asphalt project, urban concrete project, rural project, and reconstruction projects. He said every ward is involved in the street maintenance program. Councilmember Castleberry asked if the street lists could be broken down by Ward and Mr. O'Leary said yes, Staff will provide that. Councilmember Castleberry would also like to know how the higher percentage streets are being addressed to ensure the City is working on a wide spectrum of streets. Mr. Hall said 70% is the City's percentage cutoff and nothing higher will be addressed at this time.

Councilmember Castleberry asked why there are no sidewalks in the picture of the completed project in 2010, for Hines Street and Mr. O'Leary said the bond language did not include sidewalks and he has encouraged the neighborhoods to file a petition for sidewalks. Mayor Rosenthal said sidewalks in redevelopment or reconstruction projects require 60% of voters support because they are considered an amenity. Mr. Bryant said sidewalks on their own are not considered a public utility so that does require a higher vote. Mr. Hall said all driveway approaches, curbs, and gutter were constructed in a way that a sidewalk could be added at some point.

Councilmember Holman said he would like to see the five year plan for the bond program and Mr. O'Leary said he would provide that to Council.

Mr. O'Leary said if Council decides to hold a March bond election, First Reading would be considered on November 24th with Second Reading on December 8th. The election would be held on March 1, 2016.

Mr. Will Decker, 311 South Webster, asked how much the bond holders receive and Mr. Anthony Francisco, Director of Finance, said as a rule of thumb they will receive about 25%.

Ms. Joy Hampton, The Norman Transcript, asked if Ward Five projects overlap with disaster relief monies and Mr. O'Leary said yes.

Ms. Hampson said Hines Street does have sidewalks and it is called Legacy Trail.

Items submitted for the record

1. PowerPoint presentation entitled "Proposed 2016-2020 Street Maintenance Bond Program," Council Study Session, October 20, 2015, presented by Shawn O'Leary, Director of Public Works, and Greg Hall, Street Superintendent
2. City of Norman 2015 Pavement Management Report presented by David E. Butler, P.E., IMS Infrastructure Management Services, dated September, 2015

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The meeting adjourned at 6:25 p.m.

ATTEST:

Brenda Hall
City Clerk

Cindy Rosenthal
Mayor

CITY OF NORMAN CORPORATE SEAL OKLAHOMA