

CITY COUNCIL  
BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES

November 5, 2015

The City Council Business and Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:05 p.m. in the Municipal Building Conference Room located at 201 West Gray on the 5th day of November, 2015, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Allison, Lang, and Chairman Heiple
ABSENT:	Councilmember Castleberry
STAFF PRESENT:	Mr. Terry Floyd, Development Coordinator Mr. Robert Gruver, Network Support Specialist Ms. Leah Messner, Assistant City Attorney Mr. Tim Powers, Director of Information Technology Mr. Wayne Stenis, Planner II Ms. Syndi Runyon, Administrative Technician IV
OTHERS PRESENT:	Mayor Cindy Rosenthal Ms. Stefanie Brickman, Norman Convention and Visitors Bureau Ms. Joy Hampton, <u>The Norman Transcript</u> Mr. Harold Heiple, 218 East Eufaula Mr. Dan Schemm, Director, Norman Convention and Visitors Bureau

Item 1, being:

DISCUSSION REGARDING A CITY OF NORMAN MOBILE APP.

Mr. Tim Powers, Director of Information Technology (IT), said on October 1, 2015, the Business and Community Affairs Committee (BACA) requested information related to producing and releasing a citywide application (app) for Norman residents to utilize on mobile devices, i.e., smartphones, tablets, etc. He said mobile apps are being used by municipalities around the country to increase communication with their citizen base and provides a tool for reporting problems and finding general information about City resources, facilities, and community services. Apps also have the ability to display general contact information, general City information, and many integrate with Cityworks (a work order system), and Geographical Information System (GIS) maps.

Mr. Powers highlighted some general uses for mobile apps for citizens to report as follows:

- Dead animal removal
- Graffiti removal
- Illegal parking
- Illegally placed signs
- Inoperable vehicles
- Junk and debris
- Potholes
- Tall grass/weeds
- Traffic flow evaluation
- Unsecure building or structure

Item 1, continued:

Mr. Powers said there are two popular ways that municipalities are creating mobile apps, 1) a full web design with app capabilities, and 2) a standalone City app. A full web redesigned scalable website with app capabilities can include an upgraded website with a modern look and feel for navigation, scalable to tablets and smartphones, and adds functionality for citizens. A standalone app typically includes a customized design, selected features, and requires an initial design fee with annual maintenance fees.

Mr. Powers said if the City had a scalable app, it would allow the City the ability to update the website, but also scale down to tablets and iPhones. The City of West Hollywood, California, uses a vendor known as CitySourced, which basically offers the same functionality as their website, but looks like an app on a cell phone. It allows citizens to take pictures of potholes or other code violations and send those pictures directly to the City using the City's mapping system to pinpoint the exact location. The advantage of a scalable app is the redesign of the website at the same time the app is created. A standalone app is similar to going to Google, iTunes, or the Apple app store and downloading an app. The Cleveland County Sheriff's Office uses a standalone app that allows them to send announcements and press releases to the public. Their app also has a "let us know" section where citizens can send pictures of violations. Oklahoma City uses an app called SeeClickFix, where citizens can report violations or potholes then check on the status of all reported items. The citizen has to be a registered user to report issues as well as be within certain boundary so there could be no cluttering up of the site.

Chairman Heiple asked the costs of the apps and Mr. Powers said a scalable app would typically have a base cost of \$55,000, which includes a full redesign of the website, but if it is customized, it could cost up to \$100,000 plus annual fees of approximately \$1,400 per year for maintenance. A standalone app would cost \$3,100 per year.

Councilmember Lang asked if a standalone app is done through an annual contract or would the City be under contract for several years at a time and Mr. Powers said generally the contracts are one year, renewable annually.

Councilmember Allison said if the City is going to do this it would be smart to go with a scalable, responsive app. He said, personally, he would not download an app just to report a pothole whereas if he could pull up the City of Norman website and report something he would certainly do that. The \$55,000 to \$100,000 cost is sticker shock, but his company pays \$10,000 for a website and the City of Norman is much larger in revenue and resources so he does not feel this would be an outrageous cost. He said the City should definitely pick a website company that works with municipalities. He felt usage would be much higher if the app was integrated with the website plus the City would get a new website that is more user friendly. He said, currently, the City's website can be difficult to navigate.

Mr. Powers said a couple of years ago the City researched costs for a website redesign and the cost was \$300,000. Mr. Robert Gruver, Network Support Specialist, said the City's website has several thousand pages and he agrees that some things are hard to find so \$50,000 to \$100,000 is obviously a reasonable number. He said prices have come down slightly over the years due to new technology.

Mr. Terry Floyd, Development Coordinator, asked Mr. Powers to talk about the timeline of a website redesign/app because it will take some time. Mr. Gruver said it would probably be a two to three month process for another company to do it, but if it was done in-house it would take six months to a year based on IT Staff's workload. He said this is a skill set that people get paid a lot of money to do and although IT could get it done in-house, it could take years especially integrating a responsive app to the website. Mr. Gruver said the City's website has improved over the years, but IT Staff does not have anyone that focuses solely on the website.

Item 1, continued:

Councilmember Allison said there is savings just beyond the website. He said the City of Norman Action Center takes all these types of calls right now and an app would lower the number of calls to the Action Center. He said that alone will save the City money in labor and time, especially if the calls go into a work order system that could save labor and time for the person in the Action Center as well and free them up to do their other daily tasks and not have to spend so much time taking care of the Action Center.

Mr. Powers said the key will be integrating the complaints coming from the community into the City's current work order system. He said Oklahoma City simply threw their app out there and fast tracked it, but ended up having to hire people to take the data and transfer it into their work order system.

Chairman Heiple asked Ms. Susan Connors, Director of Planning and Community Development, if the City went with the scalable app could the Planning Department integrate their work order system with the app and stop using its current work order system? Ms. Connors said she did not think so and Mr. Gruver said no, the Planning Department's work order system handles scheduling, mapping, transfer of data into the ISeries Program, and is really built for building permitting and inspection services while the scalable app would be used by citizens to report issues. Councilmember Allison asked if the app could integrate with the City's work order system and Mr. Powers said yes. Councilmember Allison said that is why the City should not have a standalone app because the app needs to integrate with the City's current system in some way. He said Norman does not want be in the situation Oklahoma City put themselves in.

Mayor Rosenthal asked if someone from the City will act as a sort of firewall dispersing issues to someone, which may or may not be followed-up on and Mr. Powers said no, the app would still fall under the Action Center's purview, but there is a possibility that Staff may need to be added as there may be an increase of complaints or violations being sent to the City. Mayor Rosenthal felt the app would be a good thing, but the idea of an app sending a work order to a department is not good management. Councilmember Allison said, in his business, if anyone puts in a work order, such as a hole in the sheetrock, it goes to the Maintenance Manager who assigns it to someone who will take care of the issue. He felt this app would act in a similar way in that complaints would go to the Action Center and the Action Center would send the complaint or violation to the proper department.

Councilmember Lang asked if the app would work on all platforms and Mr. Powers said it would work on the most common platforms such as Windows, Apple phones, Androids, etc. Councilmember Lang said the advantages and disadvantages of being on an app versus being on a webpage in that when you are on a webpage there are a number of add-ons that can be tacked onto the webpage, i.e., irritating and annoying apps. Mr. Powers said the City's app would be for private use, not commercial use, so there would be no add-ons and no one but IT could alter the website in any way. Mr. Gruver agreed and said even though a separate entity would design website, the server would be in-house and under the City's control. Councilmember Lang said he would have some real issues if anyone could access the City of Norman's webpage at the administrative level and Mr. Gruver assured him that would not happen. Councilmember Allison agreed and said the company would build the website, but the City would be in charge of maintaining and controlling content. Mr. Powers said the "Maintenance Manager" would probably be in charge of content management as well as keeping the website information up to date. Councilmember Allison said that could be the Communication Officer's job.

Councilmember Lang said, for him, apps work much faster than webpages because webpages can be slow loading and asked if there would be any advantage to somehow tying an app, if possible, to a webpage and actually accessing an app from a webpage and, if so, if there was any benefit to doing that. Mr. Gruver said a slow loading webpage is due to content, web ads, etc., that are on that page. He said webpages are very complex so he is not sure if there is really an advantage to that.

Item 1, continued:

Chairman Heiple said the Norman Convention and Visitors Bureau (NCVB) has a new app and an incredible website and asked Mr. Dan Schemm, Director of the NCVB) to speak to that. Mr. Schemm said he drug his feet on the app because he thought a responsive website was all NCVB needed, but Twitter and Facebook takes people directly to an app. If people go the NCVB website, they are asked them if they are sure they want to download the app because apps use fewer clicks and are easier for the user so that made him reconsider the app. He said NCVB looked at several different options on the app and ended up going with Blue Bridge Technologies who are one of the leading travel and tourism apps, but would not apply to a municipal app. He said NCVB pays an annual fee for the app to be updated quarterly and ensure the app fits the format and technology of current mobile devices. Chairman Heiple asked the cost of the app and Mr. Schemm said \$9,000 upfront plus an annual fee, which he cannot remember right now. Mr. Schemm said NCVB has control over the content on the app. Ms. Stefanie Brickman, NCVB Communication Manager, said NCVB uses the app to enhance visitor's experiences, but the City will be using their app for something completely different so it is really hard to compare the two.

Councilmember Allison asked if the NCVB website is responsive and Ms. Brickman said no, but that is NCVB's next project. Councilmember Allison said it would be great if the City and NCVB community calendars could be tied together somehow because there is no sense in duplicating the work. He saw no reason for someone on City Staff to put a City calendar together while NCVB is doing a similar calendar so there should be one central calendar. Chairman Heiple asked Mr. Powers and Ms. Brickman if that was a reasonable suggestion and Ms. Brickman said the NCVB had been discussing that recently as well as who should be the owner of that. She said if there was a contact management system at the City and NCVB could have administrative access to that it would be great for everyone. Mr. Schemm said NCVB would want to have the ability to pull out separately, because you would not want every event that is on the City's calendar to filter into NCVB's app or the arts community's or others. Mr. Powers said that could be done and the City and NCVB can discuss how that would work.

Chairman Heiple asked Mr. Powers his preference on an app and Mr. Powers said the website design and scalability gives the City more bang for the buck and everything would match from the user's perspective. Mr. Floyd said it is cheaper and faster to go with a separate app at this point then look at budgeting for the scalable app thinking about having a Communication's Officer on board to formulate that down the line.

Chairman Allison said if the City is going to obtain an app, they need to do it right. He said Council can discuss funding in upcoming budget discussions and Mayor Rosenthal agreed and said Council could discuss an app at the mid-year budget review and prioritize it to other projects needing to be done. Councilmember Allison asked if a Request for Proposal (RFP) should be done to obtain a solid cost figure and Mayor Rosenthal felt it would be helpful to have solid costs. Councilmember Lang asked how long it would take to put together an RFP and Mr. Powers said a couple of months. Councilmember Lang said putting together and RFP and hiring a company can be a fairly lengthy process, at least a year. Mr. Powers said the City can start with a standalone app until a decision is made.

Chairman Heiple asked Ms. Messner if there are any legal ramifications with an app that the Committee has not thought about and Ms. Messner said she would be happy to check into that. Chairman Heiple said that should be looked into and Councilmember Lang agreed saying he could think of a scenario or two that might have legal ramifications.

Chairman Heiple said there seems to be consensus to review funding for a scalable app and website redesign during the mid-year budget process.

Item 1, continued:

Items submitted for the record

1. Memorandum dated November 25, 2015, from Steve Lewis, City Manager; Tim Powers, Director of Information Technology; and Susan Connors, Planning Director, to Council Business and Community Affairs Committee, with Attachment A, Example Image "Feather" Banner

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Item 2, being:

DISCUSSION REGARDING THE INCLUSION OF "FEATHER/TEARDROP" BANNERS IN THE CITY SIGN CODE.

Ms. Connors said BACA requested discussion of the City's Sign Code to allow "feather banners," which are currently prohibited under the Sign Code's definition of "wind signs." She said there is exception language for car dealerships that allows them to use balloons and pennants.

Ms. Connors highlighted the current definition of a wind signs as, "A sign consisting of one (1) or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze. A banner anchored securely, so as to restrict movement to a minimum, is not a wind sign. She said a possible definition for a feather sign could be, "A free standing temporary sign typically constructed with a plastic or metal shaft driven in the ground and an attached pennant typically in the shape of a feather, teardrop, or rectangle that is vertically elongated and attached to the shaft."

Ms. Connors said if the City were to regulate feather signs, the City would be able to control the size, location, type of support, permitting, maintenance, number of signs allowed, and distance between signs. She said illegal signs generally appear on the weekends when Code Enforcement Officers are not working and are generally placed in the right-of-way, which is currently not allowed.

In addition, there has been a recent Supreme Court ruling that municipalities cannot regulate content of signs so the City needs to be careful that all signs are regulated identically. She said the City currently allows some types of temporary signs with certain content through a Limited License process, but the City will no longer be able to do that. She said there are a number of different types of signs the City will have to look at to bring the City's Sign Code into compliance with the Supreme Court ruling.

Councilmember Lang wondered if the City was getting ahead of itself by dealing with one type of sign before it dealt with the entirety of the Sign Code. Councilmember Heiple said an email from a business owner prompted him to request Staff to review the Code regarding feather banners. The email stated the business owner was unaware the signs were illegal until he received notice from the City and being a small business owner, felt this rule to be very limiting on how a business can advertise especially since their business is fairly new and they cannot afford a traditional sign, which could cost thousands of dollars. The business owner stated he purchased two feather signs at a cost at \$200 each and noticed an immediate increase in business once the feather signs were positioned on their property. In the email, the business owner asked that the City allow these types of signs because they are a valuable, low cost alternative to attracting business that would otherwise pass them by. The business owner stated the feather banners are only out during business hours and are removed each evening and feels the feather signs are no more of a distraction than any other billboard or sign.

Item 2, continued:

Chairman Heiple said feather signs get the biggest bang for the buck and he would like for Staff to somehow allow feather signs, especially since car dealerships have an exception, until the City can deal with the entire Sign Code. He said it could take two years or more to amend the Sign Code to address the Supreme Court's ruling.

Mr. Messner asked Ms. Connors what types of signs are allowed at car dealerships and Ms. Connors said balloons and pennants. Ms. Messner asked if there are words on the pennants and Ms. Connors said not usually. Ms. Messner said the Legal Department could argue that pennants and balloons are not signs and that commercial speech is treated differently than the speech in the Court case, which was about political signs, Church signs, etc. She said according to the Supreme Court, commercial speech enjoys a lower tier of protection than traditional First Amendment speech. While she understands the Court case will have impacts to the City's Sign Code, it will not cause changes to the entire Sign Code.

Councilmember Allison said the City should address feather signs under the wind sign definition and not make an exception for one business. He said if feather signs can fit into the wind sign category, it should be allowed. Ms. Connors said balloons and banners are sometimes allowed at grand openings. She asked if feather signs should be temporary signs and asked if Council really wants these types of signs year round or should the signs be limited to a temporary period of a couple of times a year. Chairman Heiple said he was thinking the signs could be allowed during business hours only, not 24/7, and only allow a reasonable number of signs depending on the size of the property. Councilmember Allison did not think that taking the signs down after business hours would make a huge difference, but he would be in favor of a limitation of how many signs would be allowed based on square footage or surface area. He would not be in favor of telling someone they could display a feather sign only twice a year.

Mayor Rosenthal asked if sign permits are determined by zoning or whether or not the sign is attached or detached. She said the City may be stuck with a project that never ends and she would like to see a strategic fix under temporary signage because she does not want these signs in the right-of-way at all. She said there may be some way to do a focused, strategic fix to this issue since these are fairly new types of signs and are not unattractive, but the City needs to be smart about how to fix this without opening a big can of worms.

Councilmember Lang said many businesses, especially in Downtown Norman, have a small footprint that faces the street that they would love to have these types of signs. Mayor Rosenthal said the Center City Vision process included discussions about signs in the core area. Ms. Connors recommended the signs not be allowed in the right-of-way, which immediately does not allow them in the downtown or Campus Corner areas because they would have to be on some kind of stand and that might not work in our windy city.

Mr. Harold Heiple, 218 East Eufaula, said a Citizen's Committee reviewed the Sign Code years ago and wrote the definition for the wind signs. He said, at that time, the only things blowing in the wind that really bothered everybody was balloons and pennants that flapped constantly and were being strung out 25 to 50 feet. He said that is what the Committee wanted to put a stop to, but a lot of items named in the wind signs definition do not exist today in the sense that they did 25 years ago. He said the City can write a definition to make any sign fit and it is time for the City to be a little more flexible. He said the City is not bound by the definition although it has a good base to build upon.

Item 2, continued:

Chairman Heiple asked how long it would take Staff to refine the definition and Ms. Connors said she would like two months. She said there has been no conversation with the Legal Department about how to approach the issue of the Supreme Court's decision and the Sign Code is tied up in that. The literature she has read has been not to create more non-conforming signs, but the City should stop regulating until we bring the Sign Code in compliance with the ruling.

Councilmember Lang asked the penalty to a business for non-compliance and Ms. Messner said reoccurring violations would result in a citation. Councilmember Lang asked if that would cost the business money and, if so, how much and Ms. Messner said the penalty range is \$50 to \$750. Ms. Connors said Code Enforcement Officers do not work on the weekends and many businesses are aware of that and put signs out on the weekends. Chairman Heiple said as he was driving to this meeting he saw at least 11 to 15 feather signs so they are out there right now and it is not a weekend.

Councilmember Allison said there is nothing in the current definition for wind signs that is any more disruptive or distracting than visual signage so how can the City allow digital signage, but not allow feather signs in that definition? Mayor Rosenthal said a lot of time went into crafting the digital sign language and digital sign distractions can be controlled, but feather signs cannot be controlled especially on windy days. Chairman Heiple said the City does not want feather signs out in 25 mile per hour winds and Councilmember Allison said most businesses value their signs and will not put them out on extremely windy days or during bad weather. He said language can be crafted stating the signs cannot be put out if the wind exceeds a certain range.

Chairman Heiple said he is hearing it will take two months to construct a definition, but he has a small issue with that and asked if it would really take two months to write a new paragraph. Ms. Connors said Staff needs the time to research the whole issue to make sure the City is not putting something together in a rush. Chairman Heiple said he understands the City sometimes makes policy decisions with unintended consequences by trying to address a problem up front without really thinking it through long term.

Ms. Messner said BACA may want to see a draft before it is reviewed by the whole Council and drafting language for feather signs and bringing it back for BACA review could easily take two months. Mayor Rosenthal said BACA needs to understand what they are taking on before they start tweaking the Sign Code and she is open to moving as quickly as possible, but also respects the fact that Staff and Council have a number of other very important issues to work on plus there is a Supreme Court ruling that needs to be taken into consideration in looking at the big picture before jumping in and changing the Sign Code piece by piece.

Councilmember Allison said basically Staff is saying it could take six months before a change would even go into effect because it will come back to BACA then get reviewed by Council in a Conference or Study Session before being placed on the agenda. Ms. Connors said Staff will work as quickly as possible and have draft language for BACA in two months.

Chairman Heiple said he sincerely understands the Planning Department is overworked and understaffed, but he would love it if his expectations were exceeded and the draft language was ready sooner. He said small businesses can spend \$200 to \$400 versus \$4,000 or \$6,000 so this is a game changer for them. Ms. Connors said she can offer the option that Code Enforcement will not vigorously enforce those violations and Chairman Heiple said that will have to do for now.

Item 2, continued:

Items submitted for the record

1. Memorandum dated November 25, 2015, from Steve Lewis, City Manager; Tim Powers, Director of Information Technology; and Susan Connors, Planning Director, to Council Business and Community Affairs Committee, with Attachment A, Example Image "Feather" Banner
2. PowerPoint entitled, "Feather and Teardrop Banners," Council Business and Community Affairs Committee dated November 5, 2015
3. Email dated November 5, 2015, from Aaron Gibson to Greg Heiple regarding feather banners

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Item 3, being:

MISCELLANEOUS PUBLIC COMMENTS.

None

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Item 4, being:

ADJOURNMENT

The meeting adjourned at 4:58 p.m.