

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

November 10, 2008

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 10th day of November, 2008, 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 Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Thompson, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 21 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Butler and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 21, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 21 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 OCTOBER 28, 2008
CITY COUNCIL MINUTES OF OCTOBER 28, 2008
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 28, 2008
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 28, 2008
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 28, 2008

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

Items submitted for the record

1. City Council Conference Minutes of October 28, 2008
2. City Council minutes of October 28, 2008
3. Norman Utilities Authority minutes of October 28, 2008
4. Norman Municipal Authority minutes of October 28, 2008
5. Norman Tax Increment Finance Authority minutes of October 28, 2008

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

YEAS: Councilmembers Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 5, being:

CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-12: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE III, HAZARDOUS MATERIAL EMERGENCY RESPONSE COST RECOVERY, TO CHAPTER 9 OF THE CODE OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ORDINANCE NO. O-0809-15: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 308(E) OF CHAPTER 19 OF THE CODE OF THE CITY OF NORMAN SO AS TO MANDATE REQUIREMENTS FOR NEW PROPERTY OWNERS' ASSOCIATIONS AUTHORIZED BY THIS SECTION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Cubberley moved that the ordinances be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 31, 2008, from James Fullingim, Fire Chief, to the Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-12
3. Legislatively notated copy of Ordinance No. O-0809-12
4. Memorandum dated November 3, 2008, from R. Blaine Nice, Assistant City Attorney, and Doug Koscinski, Current Planning Manager, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
5. Ordinance No. O-0809-15
6. Legislatively notated copy of Ordinance No. O-0809-15
7. Memorandum dated October 9, 2008, from Doug Koscinski, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
8. City Council Oversight Committee minutes of August 7 and September 3, 2008
9. Pertinent excerpts from City Council Conference minutes of June 24, 2008
10. Pertinent excerpts from Planning Commission minutes of October 9, 2008

and the question being upon the Introduction and adoption of the ordinances upon First Reading by title, a vote was taken with the following result:

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|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the ordinances were Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

HISTORIC DISTRICT COMMISSION

TERM: 11-10-08 TO 10-26-10: JULIE BENNINGFIELD, 715 S. CRAWFORD AVENUE

NORMAN REGIONAL HOSPITAL AUTHORITY

TERM: 11-10-08 TO 10-31-10: TERRY GARRETT, 3908 CHARING CROSS COURT

Councilmember Cubberley moved that the appointments be confirmed, which motion was duly seconded by Councilmember Quinn; and the question being upon confirming the appointments, a vote was taken with the following result:

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| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the appointments were confirmed.

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Item 7, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-0809-8; CONTRACT NO. K-0809-53; PERFORMANCE BOND NO. B-0809-15; STATUTORY BOND NO. B-0809-16; MAINTENANCE BOND NO. MB-0809-10; AND RESOLUTION NO. R-0809-41 FOR THE FOLLOWING PROJECTS FOR THE PARKS AND RECREATION DEPARTMENT:

1. BASKETBALL COURT REPLACEMENT PROJECT FOR EASTRIDGE, SUNRISE, AND DOUBLETREE PARKS
2. REAVES PARK BASKETBALL COURT INSTALLATION PROJECT
3. KIWANIS PARK SIDEWALK PROJECT

Councilmember Cubberley moved that Request for Proposal No. RFP-0809-8 from H & H Construction for the Basketball Court Replacement Project for the Eastridge, Sunrise, and Doubletree Parks, Reaves Park Basketball Court Installation Project, and Kiwanis Park Sidewalk Project be accepted; Contract No. K-0809-53 in the amount of \$47,984.20 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; the execution of the contract be authorized; and Resolution No. R-0809-41 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 20, 2008, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Summary of Request for Proposal No. 0809-8 for the Parks Basketball Court Replacement, Reaves Park Basketball Court, and Kiwanis Park Sidewalk Projects
3. Contract No. K-0809-53
4. Performance Bond No. B-0809-15
5. Statutory Bond No. B-0809-16
6. Maintenance Bond No. MB-0809-10
7. Resolution No. R-0809-41
8. Purchase Requisition No. 00000149837 dated October 22, 2008, in the amount of \$47,894.20 to H & H Construction

and the question being upon accepting Request for Proposal No. RFP-0809-8 from H & H Construction for the Basketball Court Replacement Project for the Eastridge, Sunrise, and Doubletree Parks, Reaves Park Basketball Court Installation Project, and Kiwanis Park Sidewalk Project and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Request for Proposal No. RFP-0809-8 from H & H Construction for the Basketball Court Replacement Project for Eastridge, Sunrise, and Doubletree Parks, Reaves Park Basketball Court Installation Project, and Kiwanis Park Sidewalk Project accepted; Contract No. K-0809-53 in the amount of \$47,984.20 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; the execution of the contract was authorized; and Resolution No. R-0809-41 was adopted.

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Item 8 being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-0809-29; CONTRACT NO. K-0809-69; PERFORMANCE BOND NO. B-0809-28; STATUTORY BOND NO. B-0809-29, MAINTENANCE BOND NO. MB-0809-21, AND RESOLUTION NO. R-0809-65 FOR THE ANDREWS PARK CLIMBING BOULDER PORTION OF THE PARKS PLAYGROUND ADDITIONS PROJECT.

Councilmember Cubberley moved that Request for Proposal No. RFP-0809-29 from Rex Playground Equipment for the Andrews Park Climbing Boulder portion of the Parks Playground Additions Project be accepted; Contract No. K-0809-69 in the amount of \$19,000 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; the execution of the contract be authorized; and Resolution No. R-0809-65 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 20, 2008, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Summary of Request for Proposal No. 0809-29 for the Park Playground Addition Project – Andrews Park Climbing Boulder
3. Informational flyer
4. Contract No. K-0809-69
5. Performance Bond No. B-0809-28
6. Statutory Bond No. B-0809-29
7. Maintenance Bond No. MB-0809-21
8. Resolution No. R-0809-65
9. Purchase Requisition No. 0000149915 dated October 23, 2008, in the amount of \$19,000 to Rex Playground Equipment

and the question being upon accepting Request for Proposal No. RFP-0809-29 from Rex Playground Equipment for the Andrews Park Climbing Boulder portion of the Parks Playground Additions Project and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

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| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
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| NAYES: | None |
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The Mayor declared the motion carried and Request for Proposal No. RFP-0809-29 from Rex Playground Equipment for the Andrews Park Climbing Boulder portion of the Parks Playground Additions Project accepted; Contract No. K-0809-69 in the amount of \$19,000 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; the execution of the contract was authorized; and Resolution No. R-0809-65 was adopted.

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Item 9, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-0809-32; CONTRACT NO. K-0809-70; PERFORMANCE BOND NO. B-0809-30; STATUTORY BOND NO. B-0809-31, MAINTENANCE BOND NO. MB-0809-22, AND RESOLUTION NO. R-0809-55 FOR THE GRIFFIN PARK SOFTBALL COMPLEX FENCE PROJECT.

Councilmember Cubberley moved that Request for Proposal No. RFP-0809-32 from Richey Fence and Landscape, L.L.C., for the Griffin Park Softball Complex Fence Project be accepted; Contract No K-0809-70 in the amount of \$74,947 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; the execution of the contract be authorized; and Resolution No. R-0809-55 be adopted, which motion was duly seconded by Councilmember Quinn;

Item 9, continued:

Items submitted for the record

1. Memorandum dated October 24, 2008, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Summary of Request for Proposal No. 0809-32 dated October 24, 2008, for the Griffin Park Softball Complex Fence Project
3. Contract No. K-0809-70
4. Performance Bond No. B-0809-30
5. Statutory Bond No. B-0809-31
6. Maintenance Bond No. MB-0809-22
7. Resolution No. R-0809-55
8. Purchase Requisition No. 0000149986 dated October 27, 2008, in the amount of \$74,947 to Richey Fence and Landscape, L.L.C.

and the question being upon accepting Request for Proposal No. RFP-0809-32 from Richey Fence and Landscape, L.L.C., for the Griffin Park Softball Complex Fence Project and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Request for Proposal No. RFP-0809-32 from Richey Fence and Landscape, L.L.C., for Griffin Park Softball Complex Fence Project accepted; Contract No. K-0809-70 in the amount of \$74,947 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; the execution of the contract was authorized; and Resolution No. R-0809-55 was adopted.

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Item 10, being:

CONSIDERATION OF BID NO. 0809-37; CONTRACT NO. K-0809-65; PERFORMANCE BOND NO. B-0809-26; STATUTORY BOND NO. B-0809-27; AND MAINTENANCE BOND NO. MB-0809-19 FOR THE INDUSTRIAL INTERCEPTOR CONSTRUCTION PROJECT.

Acting as the Norman Utilities Authority, Trustee Cubberley moved that all bids meeting specifications be accepted; the bid in the amount of \$989,065 be awarded to Urban Contractors, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-65 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; and execution of the contract and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies in an approximate amount of \$494,500 for the Industrial Interceptor Construction Project be authorized, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Memorandum dated October 24, 2008, from Jim Speck, Capital Projects Engineer, to Norman Utilities Authority
2. Bid tabulation dated October 23, 2008, for the Industrial Interceptor Project
3. Letter dated November 3, 2008, from Jeffrey G. Chavez, P.E., Project Manager, Garver Engineers, L.L.C., to Jim Speck, Capital Projects Engineer
4. Letter of withdrawal dated October 24, 2008, from Luc Larocque, Owner, Boretex, L.L.C., to Mr. Mark Daniels, City of Norman
5. Contract No. K-0809-65
6. Performance Bond No. B-0809-26
7. Statutory Bond No. B-08069-27
8. Maintenance Bond No. MB-0809-19
9. Purchase Requisition No. 0000149996 dated October 27, 2008, in the amount of \$989,065 to Urban Contractors, Inc.

Item 10, continued:

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

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| YEAS: | Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal |
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| NAYES: | None |
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The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$989,065 was awarded to Urban Contractors, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-65 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; and execution of the contract and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies in an approximate amount of \$494,500 for the Industrial Interceptor Construction Project were authorized.

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Item 11, being:

SUBMISSION OF THE FOLLOWING PERMIT ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE CONSTRUCTION OF A WATER LINE EXTENSION FOR THE FOLLOWING PROJECT:

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|---|--|
| <u>ODEQ PERMIT NO.</u> WL-000014080689 | <u>LOCATION</u> ROCK CREEK ROAD WATER LINE EXTENSION BETWEEN PORTER AVENUE AND 1,300 FEET EAST OF 12TH AVENUE N.E. |
|---|--|

Councilmember Cubberley moved that the permit be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 24, 2008, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Letter of transmittal dated September 25, 2008, from Rocky Chen, P.E., Construction Permit Section, Water Quality Division, State of Oklahoma Department of Environmental Quality, to Bob Hanger, City Engineer
3. State of Oklahoma Department of Environmental Quality Permit No. WL000014080689, Water Lines, Facility No. 1020801, dated September 25, 2008

and the question being upon acknowledging receipt of the permit and upon the subsequent directive, a vote was taken with the following result:

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| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
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| NAYES: | None |
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The Mayor declared the motion carried and receipt of the permit acknowledged; and the filing thereof was directed.

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Item 12, being:

CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING EASEMENT AND APPROVAL OF THE PURCHASE OF PROPERTY IN CONNECTION WITH THE INDUSTRIAL INTERCEPTOR PROJECT:

| <u>EASEMENT NO. – PARCEL NO.</u> | <u>GRANTOR</u> | <u>EASEMENT</u> | <u>COST</u> |
|--------------------------------------|--------------------------|------------------------------------|-------------|
| E-0809-28 | ROBERT AND JOANN IRWIN | PERMANENT PUBLIC SANITARY SEWER | \$6,000 |
| PARCEL 45 | INOK INVESTMENTS, L.L.C. | | \$6,585 |

Acting as the City Council and Norman Utilities Authority, Councilmember Cubberley moved that the easement be accepted, execution and payment for the easement and the City Attorney to effectuate the acquisition of Parcel 45 be authorized, and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 17, 2008, from Jim Speck, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Easement No. E-0809-28 with Exhibit "A," Tract A, location map
3. Memorandum dated October 17, 2008, from Jim Speck, Capital Projects Engineer, to Honorable Mayor and Councilmembers
4. Letter of agreement dated October 17, 2008, from Jim Speck, P.E., P.L.S., Capital Projects Engineer, to Mr. Morain, INOK Investments, L.L.C., with Exhibit "A," Tract B, location map
5. Location map of Tract A and Tract B

and the question being upon accepting the easement and upon the subsequent authorizations and directive, a vote was taken with the following result:

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|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the easement accepted; execution and payment for the easement and the City Attorney to effectuate the acquisition of Parcel 45 were authorized and the filing thereof with the Cleveland County Clerk was directed.

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Item 13, being:

CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING EASEMENTS AND WARRANTY DEEDS IN CONNECTION WITH THE ROBINSON STREET GRADE SEPARATION PROJECT:

| <u>EASEMENT NO. – PARCEL NO.</u> | <u>GRANTOR</u> | <u>EASEMENT</u> | <u>COST</u> |
|---|---|--|-------------|
| E-0809-30 PARCEL 40.1 | LOU ELLEN PASCHAL, TRUSTEE OF THE LOU ELLEN PASCHAL LIVING TRUST | TEMPORARY CONSTRUCTION | \$ 500 |
| E-0809-31 & E-0809-32 PARCELS 38 AND 38.1 | ANNA MARIE VALADEZ | PERMANENT PUBLIC ROADWAY, DRAINAGE, AND UTILITY AND TEMPORARY CONSTRUCTION | \$ 2,150 |
| E-0809-33 PARCEL 23.1 | KAREN R. CRANE & KIM RENEE WARD | TEMPORARY CONSTRUCTION | \$ 320 |
| E-0809-34 PARCEL 32.1 | SALLY M. GRAHAM | TEMPORARY CONSTRUCTION | \$ 250 |
| WARRANTY DEED PARCEL 46 | JEROME TAYLOR DORSETT, GEORGE L. DORSETT, KAREN DORSETT, JOAN D. MATHERS, AND JAMES MATHERS | | \$ 42,325 |
| WARRANTY DEED PARCEL 21 | JBJ ENTERPRISES, INC. | | \$241,450 |

Councilmember Cubberley moved that the easements and the conveyance of title by warranty deeds be accepted, the execution and payment of the easements and warranty deeds be authorized, and the filing of the temporary easements with the City Clerk and the permanent easement and warranty deeds with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 22, 2008, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Temporary Easement No. E-0809-30,
3. Easement No. E-0809-31
4. Temporary Easement Nos. E-0809-32, E-0809-33, and E-0809-34
5. Warranty Deed for Parcel 46
6. Warranty Deed for Parcel 21 with letter of agreement dated September 19, 2008, from John Clink, Capital Projects Engineer, to JBJ Enterprises, Inc.
7. Location map

and the question being upon accepting the easements and upon the subsequent authorizations and directive, a vote was taken with the following result:

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|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the easements and the conveyance of title by warranty deeds accepted; the execution and payment of the easements and warranty deeds were authorized, and the filing of the temporary easements with the City Clerk and the permanent easement and warranty deeds with the Cleveland County Clerk was directed.

Item 14, being:

LIMITED LICENSE NO. 0809-9: LIMITED LICENSE TO PLACE THIRTY-SIX (36) YARD SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CHRISTMAS HOLIDAY PARADE COMMITTEE FOR THE CHRISTMAS HOLIDAY PARADE TO BE HELD SATURDAY, DECEMBER 13, 2008.

Councilmember Cubberley moved that Limited License No. 0809-9 to place thirty-six (36) signs within the public rights-of-way pursuant to a request from the Christmas Holiday Parade Committee be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated September 15, 2008, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. Application dated October 24, 2008, for Limited License for thirty-six (36) signs from Ed Copelin for the Norman Christmas Holiday Parade
3. Limited License No. 0809-9
4. Photograph of sign to be used

and the question being upon approving Limited License No. 0809-9 to place thirty-six (36) signs within the public rights-of-way pursuant to a request from the Christmas Holiday Parade Committee and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Limited License No. 0809-9 to place thirty-six (36) signs within the public rights-of-way pursuant to a request from the Christmas Holiday Parade Committee approved; and the issuance thereof was authorized.

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Item 14A, being:

AMENDMENT TO LIMITED LICENSE NO. 0809-2: EXTENDING THE LIMITED LICENSE TO PLACE TWENTY (20) CAMPAIGN GOAL THERMOMETER SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY THROUGH DECEMBER 19, 2008, PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

Councilmember Cubberley moved that an amendment to Limited License No. 0809-2 extending the license through December 19, 2008, be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated November 7, 2008, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. List of locations of United Way of Norman Campaign Goal-o-Meters from September 15 through December 19, 2008
3. Amendment to Limited License No. 0809-2

and the question being upon approving an amendment to Limited License No. 0809-2 extending the license through December 19, 2008, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and an Amendment to Limited License No. 0809-2 extending the license through December 19, 2008, approved; and the issuance thereof was authorized.

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Item 15, being:

SPECIAL CLAIM NO. 0809-9: A CLAIM IN THE AMOUNT OF \$2,255.90 FROM AT&T, FORMERLY SOUTHWESTERN BELL TELEPHONE L.P., FOR DAMAGES INCURRED TO A TELEPHONE CABLE AT 1900 72ND AVENUE S.E. BY A STREET DIVISION CREW CLEANING OUT A ROADSIDE DITCH.

Councilmember Cubberley moved that Special Claim No. 0809-9 be approved and payment in the amount of \$2,255.90 be directed contingent upon obtaining a Release and Covenant Not to Sue from AT&T, formerly Southwestern Bell Telephone, L.P., which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 24, 2008, from Jeanne Snider, Assistant City Attorney, through Jeff Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Special Claim No. 0809-9, Southwestern Bell Telephone Company Claim No. 04-200806-04-0125, dated August 21, 2008, submitted by Scott Whiten, Southwestern Bell Telephone, L.P., d/b/a AT&T Oklahoma, in the amount of \$2,255.90
3. Memoranda dated August 25 and September 29, 2008, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney
4. Memorandum dated October 17, 2008, from Greg Hall, Street Superintendent, to Shawn O'Leary, Director of Public Works

and the question being upon approving Special Claim No. 0809-9 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Special Claim No. 0809-9 approved; and payment in the amount of \$2,255.90 was directed contingent upon obtaining a Release and Covenant Not to Sue from AT&T, formerly Southwestern Bell Telephone, L.P.

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Item 16, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-0607-132: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND BOWEN CONSTRUCTION, INC., DECREASING THE CONTRACT AMOUNT BY \$49,432.58 FOR THE NORMAN WELL FIELD DEVELOPMENT PROJECT, PHASES 1B AND 1C WATER LINE CONSTRUCTION, AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Cubberley moved that Change Order No. Two to Contract No. K-0607-132 with Bowen Construction, Inc., decreasing the contract amount by \$49,432.58 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$12,706.44 to Bowen Construction, Inc., be directed, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Memorandum dated October 14, 2008, from Jim Speck, Capital Projects Engineer, to Norman Utilities Authority
2. Change Order No. Two to Contract No. K-0607-132
3. Location map
4. Purchase Order No. 148686 dated June 29, 2007, in the amount of \$577,338.30 adding Change Order No. One in the amount of \$742,739.92; and subtracting Change Order No. Two in the amount of \$49,432.58 and payments totaling \$1,257,939.20 leaving a balance of \$12,706.44

Item 16, continued:

and the question being upon approving Change Order No. Two to Contract No. K-0607-132 with Bowen Construction, Inc., decreasing the contract amount by \$49,432.58 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

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| YEAS: | Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal |
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| NAYES: | None |
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The Chairman declared the motion carried and Change Order No. Two to Contract No. K-0607-132 with Bowen Construction, Inc., decreasing the contract amount by \$49,432.58 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$12,706.44 to Bowen Construction, Inc., was directed.

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Item 17, being:

CONTRACT NO. K-0809-67 AND CONTRACT NO. K-0809-68: CONTRACTS BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BILLIE RAY NEFF FOR THE PURCHASE OF TWO (2) FIVE ACRE TRACTS OF LAND, ONE (1) FIVE ACRE TRACT BEING PURCHASED FOR \$295,000 PLUS AN ADDITIONAL \$60,000 IN LIEU OF PROVIDING A COMPREHENSIVE SEWER SOLUTION AND ONE (1) FIVE ACRE TRACT BEING PURCHASED FOR \$362,000 TO PROVIDE TEN ACRES OF LAND FOR USE AS A FIRE STATION FACILITY AND FOR OTHER MUNICIPAL SERVICES LOCATED ON ALAMEDA STREET BETWEEN 24TH AVENUE N.E. AND 36TH AVENUE N.E. (EAST OF ROYAL OAKS ADDITION)

Councilmember Cubberley moved that Contract Nos. K-0809-67 and K-0809-68 with Billie Ray Neff totaling \$717,000 to purchase ten acres of land for use as a fire station facility and for other municipal uses be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 22, 2008, from Blaine Nice, Assistant City Attorney, and Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers
2. Contract No. K-0809-67 with Exhibit "A", legal description; and Exhibit "B," Oklahoma Real Estate Commission Written Broker Disclosure
3. Contract No. K-0809-68 with Schedule "A," legal description, and Exhibit "B," Oklahoma Real Estate Commission Written Broker Disclosure

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney

and the question being upon approving Contract Nos. K-0809-67 and K-0809-68 with Billie Ray Neff totaling \$717,000 to purchase ten acres of land for use as a fire station facility and for other municipal uses and upon the subsequent authorization, a vote was taken with the following result:

| | |
|-------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
|-------|--|

| | |
|--------|------|
| NAYES: | None |
|--------|------|

The Mayor declared the motion carried and Contract Nos. K-0809-67 and K-0809-68 with Billie Ray Neff totaling \$717,000 to purchase ten acres of land for use as a fire station facility and for other municipal uses approved; and the execution thereof was authorized.

* * * * *

Item 18, being:

CONTRACT NO. K-0809-73: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COXCOM, INC., IN THE AMOUNT OF \$400 PER MONTH FOR THE LEASE OF A CELL TOWER SITE FOR PLACEMENT OF EQUIPMENT LOCATED AT 3280 108TH AVENUE N.E. AND GRANTING EASEMENT NO. E-0809-27 TO INSTALL A FIBER OPTIC LINE FROM LAKEVIEW SCHOOL TO THE CELL TOWER SITE.

Councilmember Cubberley moved that Contract No. K-0809-73 with CoxCom, Inc., in the amount of \$400 per month be approved, the execution thereof be authorized, and Easement No. E-0809-27 to CoxCom, Inc., be granted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Memorandum dated October 30, 2008, from Jennifer Gray, Telecommunications Administrator, through Anthony Francisco, Finance Director, to the Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-73 with Exhibit A, Installation Plans, and Exhibit B, Easement No. E-0809-27
- 3. Location map

and the question being upon approving Contract No. K-0809-73 with CoxCom, Inc., in the amount of \$400 per month and the subsequent authorization and grant, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Contract No. K-0809-73 with CoxCom, Inc., in the amount of \$400 per month approved; the execution thereof was authorized and Easement No. E-0809-27 to CoxCom, Inc., was granted.

* * * * *

Item 19, being:

CONTRACT NO. K-0809-99: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HALFF ASSOCIATES, INC., IN THE AMOUNT OF \$98,000 FOR PREPARATION OF THE PARK SYSTEM MASTER PLAN.

Councilmember Cubberley moved that Contract No. K-0809-99 with Halff Associates, Inc., in the amount of \$98,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Memorandum dated October 27, 2008, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Contract No. K-0809-99 with Exhibit "A," Scope of Services; Exhibit "B," Basis of Compensation; and Exhibit "C," Projected Work Schedule
- 3. Purchase Requisition No. 0000150034 dated October 28, 2008, in the amount of \$98,000 to Halff Associates, Inc.

and the question being upon approving Contract No. K-0809-99 with Halff Associates, Inc., in the amount of \$98,000 and upon the subsequent authorization, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Contract No. K-0809-99 with Halff Associates, Inc., in the amount of \$98,000 approved; and the execution thereof was authorized.

* * * * *

Item 20, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER REGARDING JUSTIN WAYNE BURRIGHT VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2008-03702 K.

Councilmember Cubberley moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated October 27, 2008, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. 2008-03702K filed October 22, 2008
3. Purchase Requisition No. 0000150127 dated October 30, 2008, in the amount of \$23,987 to Justin Burright and Laura Shaeffer
4. Purchase Requisition No. 0000150129 dated October 30, 2008, in the amount of \$520.20 to Workers' Compensation Administration Fund
5. Purchase Requisition No. 0000150130 dated October 30, 2008, in the amount of \$195.08 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000150131 dated October 30, 2009, in the amount of \$75 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000150132 dated October 30, 2008, in the amount of \$119.30 to Cleveland County Court Clerk

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

| | |
|--------|---|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 21, being:

RESOLUTION NO. R-0809-54: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF CLAIMS BY JOSHUA THOMASON UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF JOSHUA THOMASON V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2008-05060-K; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Cubberley moved that Resolution No. R-0809-54 be adopted and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memoranda dated October 27, 2008, and October 9, 2006, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Resolution No. R-0809-54

Item 21, continued:

- 3. Pertinent excerpts from City Council minutes of October 24, 2006
- 4. Purchase Requisition No. 0000149776 dated October 20, 2008, in the amount of \$35,000 to Joshua Thomason and Paige Lee
- 5. Purchase Requisition No. 0000149778 dated October 20, 2008, in the amount of \$700 to Workers Compensation Administrative Fund
- 6. Purchase Requisition No. 0000149779 dated October 20, 2008, in the amount of \$262.50 to Special Occupational Health and Safety Fund
- 7. Purchase Requisition No. 0000149780 dated October 20, 2008, in the amount of \$119.30 to Cleveland County District Court Clerk
- 8. Purchase Requisition No. 0000149781 dated October 20, 2008, in the amount of \$75 to Workers' Compensation Court Clerk

and the question being upon adopting Resolution No. R-0809-54 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-54 adopted; and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 22, being:

RESOLUTION NO. R-0809-58: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONSENTING TO AN AMENDMENT TO THE RECORDED FINAL PLAT FOR BROOKHAVEN NO. 37 ADDITION AND AUTHORIZING CITY STAFF TO FILE AN APPLICATION FOR VACATION OF THE PORTION OF THE BROOKHAVEN NO. 33 AND NO. 37 FINAL PLATS THAT IMPOSES LIMITS OF NO ACCESS (LONA) ALONG MANOR HILL DRIVE.

Councilmember Ezzell moved that Resolution No. R-0809-58 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Memorandum dated November 3, 2008, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
- 2. Resolution No. R-0809-58
- 3. Letter dated October 14, 2008, from Kenny Koetter, Olde World Homes, Inc., to Shawn O'Leary, Director of Public Works, with attached site plan
- 4. Letter dated October 16, 2008, from Don Cies, President, Cies Properties, Inc., to Whom It May Concern
- 5. Speed table location map
- 6. Radius maps of all properties to be vacated in Brookhaven Nos. 33 and 37
- 7. Location map of 609 Manor Hill Drive
- 8. Photographs of 609 Manor Hill Drive

Participants in discussion

- 1. Mr. Shawn O'Leary, Director of Public Works
- 2. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Resolution No. R-0809-58, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-58 was adopted.

* * * * *

Item 23, being:

ORDINANCE NO. O-0809-11: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 7.5, ARTICLE II, SECTIONS 7.5-22, 7.5-23, 7.5-26, AND 7.5-27 OF THE CODE OF THE CITY OF NORMAN, OKLAHOMA, REGARDING CITY COUNCIL CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORT CONTENT AND FILING DATES AND THE DUTIES AND PROCEDURES OF THE ENFORCEMENT AUTHORITY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0809-11 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 28, 2008, Councilmember Kovach moved that Ordinance No. O-0809-11 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Memorandum dated October 17, 2008, from Brenda Hall, City Clerk, to the Honorable Mayor and City Council
2. Ordinance No. O-0809-11
3. Legislatively notated copy of Ordinance No. O-0809-11
4. Enforcement Authority minutes of August 6, 2008
5. Pertinent excerpts of City Council Study Session minutes of September 2, 2008
6. City Council Conference minutes of October 14, 2008

Participants in discussion

1. Ms. Brenda Hall, City Clerk

Thereupon, Councilmember Kovach moved that Section 7.5-23 of Ordinance No. O-0809-11 be amended to add Section (f) to read as follows:

* * *

Sec. 7.5-23. Campaign statement contents and preservation of records.

(f) The person responsible for collecting and recording all receipts and expenditures shall be designated as the Campaign or Committee Treasurer, as applicable, and said person cannot be a candidate in the current Municipal election.

which motion was duly seconded by Councilmember Cubberley,

and the question being upon amending Section 7.5-23 of Ordinance No. O-0809-11 as stated above, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Cubberley, Kovach, Thompson, Mayor Rosenthal |
| NAYES: | Councilmembers Butler, Dillingham, Ezzell, Griffith, and Quinn |

The Mayor declared the motion failed and Section 7.5-23 of Ordinance No. O-0809-11 was not amended as stated above.

and the question being upon adopting Ordinance No. O-0809-11 upon Second Reading section by section, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | Councilmember Ezzell |

The Mayor declared the motion carried and Ordinance No. O-0809-11 was adopted upon Second Reading section by section.

Item 23, continued:

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-11 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. O-0809-11 upon Final Reading as a whole, the roll was called with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | Councilmember Ezzell |

The Mayor declared the motion carried and Ordinance No. O-0809-11 was adopted upon Final Reading as a whole.

* * * * *

Item 24, being:

CONSIDERATION AND AWARDDING OF THE BID FOR THE CITY OF NORMAN, OKLAHOMA, FOR THE PURCHASE OF GENERAL OBLIGATION BONDS, SERIES 2008A, IN THE AMOUNT OF \$5,210,000 TO THE LOWEST BIDDER COMPLYING WITH THE NOTICE OF SALE AND INSTRUCTIONS TO BIDDERS OR TO REJECT ALL BIDS.

Councilmember Cubberley moved that the bid in the amount of \$1,251,532.90 from Morgan Stanley and Company, Inc., as the lowest and best bidder meeting specifications be accepted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated November 10, 2008, from Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
2. Notice of bid
3. Summary of Bids for General Obligation Bonds, Sections 2008A
4. Morgan Stanley and Company, Inc., New York's bid, Norman \$5,210,000 General Obligation Bonds, Series 2008A
5. Morgan Stanley and Company, Inc., Reoffering Scale, Norman, \$5,210,000 General Obligation Bonds, Series 2008A

Participants in discussion

1. Mr. Jon Wolf, Municipal Finance Services
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
3. Mr. Anthony Francisco, Director of Finance

and the question being upon accepting the bid in the amount of \$1,251,532.90 from Morgan Stanley and Company, Inc., as the highest and best bidder meeting specifications, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the bid in the amount of \$1,251,532.90 from Morgan Stanley and Company, Inc., as the lowest and best bidder meeting specifications was accepted.

* * * * *

Item 25, being:

ORDINANCE NO. O-0809-25: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2008A, IN THE SUM OF FIVE MILLION TWO HUNDRED TEN THOUSAND DOLLARS (\$5,210,000) BY THE CITY OF NORMAN, STATE OF OKLAHOMA, AUTHORIZED AT AN ELECTION DULY CALLED AND HELD FOR SUCH PURPOSE; PRESCRIBING FORM OF BONDS; PROVIDING FOR REGISTRATION THEREOF; PROVIDING LEVY OF AN ANNUAL TAX FOR PAYMENT OF PRINCIPAL AND INTEREST ON THE SAME; AUTHORIZING EXECUTION OF CONTINUING DISCLOSURE CERTIFICATE; FIXING OTHER DETAILS OF THE ISSUE; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Dillingham moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Ordinance No. O-0809-25

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

| | |
|-------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
|-------|--|

| | |
|--------|------|
| NAYES: | None |
|--------|------|

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

Ordinance No. O-0809-25 having been Introduced, read, and adopted upon First Reading by title in the previous motion, Councilmember Quinn moved that Ordinance No. O-0809-25 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. O-0809-25 upon Second Reading section by section, a vote was taken with the following result:

| | |
|-------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
|-------|--|

| | |
|--------|------|
| NAYES: | None |
|--------|------|

The Mayor declared the motion carried and Ordinance No. O-0809-25 was adopted upon Second Reading section by section.

Thereupon, Councilmember Quinn moved that Emergency Section No. 8 be approved, which motion was duly seconded by Councilmember Dillingham; and the question being upon approving Emergency Section No. 8, a vote was taken with the following result:

| | |
|-------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
|-------|--|

| | |
|--------|------|
| NAYES: | None |
|--------|------|

The Mayor declared the motion carried and Emergency Section No. 8 was approved.

Item 25, continued:

Thereupon, Councilmember Cubberley moved that Ordinance No. O-0809-25 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-0809-25 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-25 was adopted upon Final Reading as a whole.

* * * * *

Item 26, being:

CONSIDERATION AND AWARDED OF THE BID FOR THE CITY OF NORMAN, OKLAHOMA, FOR THE PURCHASE OF GENERAL OBLIGATION BONDS, SERIES 2008B, IN THE AMOUNT OF \$5,475,000 TO THE LOWEST BIDDER COMPLYING WITH THE NOTICE OF SALE AND INSTRUCTIONS TO BIDDERS OR TO REJECT ALL BIDS.

Councilmember Dillingham moved that the bid in the amount of \$654,742.65 from Morgan Stanley and Company, Inc., as the lowest and best bidder meeting specifications be accepted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Notice of bid
2. Summary of Bids for General Obligation Bonds, Series 2008B
3. Morgan Stanley and Company, Inc., New York's bid, Norman \$5,475,000 General Obligation Bonds, Series 2008B
4. Morgan Stanley and Company, Inc., Reoffering Scale, Norman, \$5,475,000 General Obligation Bonds, Series 2008B

and the question being upon accepting the bid in the amount of \$654,742.65 from Morgan Stanley and Company, Inc., as the highest and best bidder meeting specifications, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the bid in the amount of \$654,742.65 from Morgan Stanley and Company, Inc., as the lowest and best bidder meeting specifications was accepted.

* * * * *

Item 27, being:

ORDINANCE NO. O-0809-26: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2008B, IN THE SUM OF FIVE MILLION FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$5,475,000) BY THE CITY OF NORMAN, STATE OF OKLAHOMA, AUTHORIZED AT AN ELECTION DULY CALLED AND HELD FOR SUCH PURPOSE; PRESCRIBING FORM OF BONDS; PROVIDING FOR REGISTRATION THEREOF; PROVIDING LEVY OF AN ANNUAL TAX FOR PAYMENT OF PRINCIPAL AND INTEREST ON THE SAME; AUTHORIZING EXECUTION OF CONTINUING DISCLOSURE CERTIFICATE; FIXING OTHER DETAILS OF THE ISSUE; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Cubberley moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Item 27, continued:

- Items submitted for the record
 - 1. Ordinance No. O-0809-26

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and the ordinance was Introduced, read, and adopted upon First Reading by title.

Ordinance No. O-0809-26 having been Introduced, read, and adopted upon First Reading by title in the previous motion, Councilmember Dillingham moved that Ordinance No. O-0809-26 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-0809-26 upon Second Reading, section by section, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Ordinance No. O-0809-26 was adopted upon Second Reading section by section.

Thereupon, Councilmember Quinn moved that Emergency Section No. 8 be approved, which motion was duly seconded by Councilmember Dillingham; and the question being upon approving Emergency Section No. 8, a vote was taken with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Emergency Section No. 8 was approved.

Thereupon, Councilmember Quinn moved that Ordinance No. O-0809-26 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Butler; and the question being upon adopting Ordinance No. O-0809-26 upon Final Reading as a whole, the roll was called with the following result:

| | |
|--------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
| NAYES: | None |

The Mayor declared the motion carried and Ordinance No. O-0809-26 was adopted upon Final Reading as a whole.

* * * * *

Item 28, being:

CONSIDERATION OF AMENDMENT NO. TWO TO THE CERTIFICATE OF APPROPRIATENESS FOR PROPERTY LOCATED AT 516 CHAUTAUQUA AVENUE TO MODIFY THE WINDOW SPECIFICATIONS.

Councilmember Dillingham moved that Amendment No. Two to the Certificate of Appropriateness for property located at 516 Chautauqua Avenue be approved, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Memorandum dated November 3, 2008, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers
2. Change Requests dated October 16, 2008, October 21, 2008, and November 3, 2008
3. Photographs of change requests

Participants in discussion

1. Mr. Glen Brown, 516 Chautauqua Avenue

and the question being upon approving Amendment No. Two to the Certificate of Appropriateness for property located at 516 Chautauqua Avenue, a vote was taken with the following result:

| | |
|-------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
|-------|--|

| | |
|--------|------|
| NAYES: | None |
|--------|------|

The Mayor declared the motion carried and Amendment No. Two to the Certificate of Appropriateness for property located at 516 Chautauqua Avenue was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Cleanup of Imhoff Creek. Councilmember Kovach said the City’s contractor did a superb job of removing the debris on Imhoff Creek.

*

Veteran’s Memorial. Councilmember Dillingham urged all citizens to attend the dedication of the new Veteran’s Memorial at Reaves Park at 10:30 a.m., Tuesday, November 11, 2008. She thanked all of the veterans who were instrumental in getting this completed.

Councilmember Cubberley recognized Jud Foster, Director of Parks and Recreation, for his efforts with this project.

Councilmember Griffith said he looked forward to seeing his own name on the memorial.

Mayor Rosenthal said that there were 2.3 million veterans of World War II that are still living and this dedication is an excellent way to recognize these veterans as well as those who have or are serving in Iraq and the many who served in Korea, Desert Storm, and Vietnam.

*

United Way Campaign. Councilmember Dillingham said these were the final days of the United Way Campaign and encouraged everyone to participate in United Way.

* * * * *

ADJOURNMENT

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

| | |
|-------|--|
| YEAS: | Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal |
|-------|--|

| | |
|--------|------|
| NAYES: | None |
|--------|------|

The Mayor declared the motion carried and the meeting was adjourned at 7:35 p.m.

ATTEST:

City Clerk

Mayor