

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

February 10, 2009

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 February, 2009, 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 students from Blue Eagle Christian Academy.

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Item 3, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM BLUE EAGLE CHRISTIAN ACADEMY.

Mayor Rosenthal presented Citizenship Awards to high school students, Sidney Jones, Christopher Black, and Timothy Williford. Mrs. Bertha Symes, Principal of Blue Eagle Christian Academy, said the students were selected as representatives of good citizens of Blue Eagle Christian Academy.

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 17 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Cubberley; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 17, 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 5 through Item 17 were placed on the consent docket by unanimous vote.

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Item 5, being:

CITY COUNCIL CONFERENCE MINUTES OF JANUARY 13, 2009
CITY COUNCIL CONFERENCE MINUTES OF JANUARY 27, 2009
CITY COUNCIL MINUTES OF JANUARY 27, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF JANUARY 27, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF JANUARY 27, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JANUARY 27, 2009

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

Item 5, continued:

Items submitted for the record

1. City Council Conference minutes of January 13, 2009
2. City Council Conference minutes of January 27, 2009
3. City Council minutes of January 27, 2009
4. Norman Utilities Authority minutes of January 27, 2009
5. Norman Municipal Authority minutes of January 27, 2009
6. Norman Tax Increment Finance Authority minutes of January 27, 2009

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 6, being:

CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-31: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOT 3, BLOCK 2, SPRINGBROOK ADDITION, SECTION 9, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (700 COPPERFIELD DRIVE)

ORDINANCE NO. O-0809-32: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0607-50, THE GREENLEAF TRAILS PLANNED UNIT DEVELOPMENT, TO ADD A CHURCH; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 12TH AVENUE N.W. AND TECUMSEH ROAD)

ORDINANCE NO. O-0809-36: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE XXVII. SPECIAL EVENTS, TO CHAPTER 13, LICENSES, OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH REGULATIONS AND CRITERIA FOR SPECIAL OUTDOOR EVENTS AND FESTIVALS, AND AMENDING SECTION 13-2801(4) TO REMOVE THE EXCEPTION FOR SOLICITOR/PEDDLER PERMITS FOR EVENTS HELD ON LAND ZONED AS PARKLAND; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

Items submitted for the record

1. Memorandum dated January 26, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-31 with Exhibit A, site development plan
3. Location map
4. Staff Report dated January 8, 2009, recommending approval
5. Sign elevation
6. Pertinent excerpts from Planning Commission minutes of January 8, 2009
7. Memorandum dated January 26, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
8. Ordinance No. O-0809-32 with Exhibit A, revised site development plan
9. Location map
10. Staff Report dated January 8, 2009, recommending approval
11. Church site plan

Item 6, continued:

Items submitted for the record, continued

- 12. Pertinent excerpts from Planning Commission minutes of January 8, 2009
- 13. Memorandum dated February 2, 2009, from Brenda Hall, City Clerk, and Leah Bunney, Assistant City Attorney, to Honorable Mayor and City Councilmembers
- 14. Ordinance No. O-0809-36
- 15. Legislatively notated copy of Ordinance No. O-0809-36
- 16. Pertinent excerpts from City Council Oversight Committee minutes of December 3, 2008; December 17, 2008; January 7, 2009; and January 21, 2009
- 17. Pertinent excerpts from City Council Conference minutes of January 27, 2009

Participants in discussion

- 1. Mr. George James, 6301 Post Oak Road, made comments

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:

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 7, being:

ITEM: CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

PUBLIC SAFETY OVERSIGHT COMMITTEE

- TERM: 02-10-09 TO 02-10-10: MALAKA ELYAZGI, 1701 OAKHURST AVENUE, WARD ONE
- TERM: 02-10-09 TO 02-10-11: GEORGE HENDERSON, 2616 OSBORNE DRIVE, WARD TWO
- TERM: 02-10-09 TO 02-10-12: MARY SUE SCHNELL, 4106 COVENTRY LANE, WARD THREE
- TERM: 02-10-09 TO 02-10-10: KEITH ALLEN, 1605 SOUTH PICKARD AVENUE, WARD FOUR
- TERM: 02-10-09 TO 02-10-11: DON ALLEN, 304 60TH AVENUE S.E., WARD FIVE
- TERM: 02-10-09 TO 02-10-12: DAVID WILSON, 408 EGRET LANE, WARD SIX
- TERM: 02-10-09 TO 02-10-10: EMILY MEAZELL, 640 TULSA STREET, WARD SEVEN
- TERM: 02-10-09 TO 02-10-11: W.E. DUFF, 400 ROSEWOOD DRIVE, WARD EIGHT
- TERM: 02-10-09 TO 02-10-12: DON HOLYFIELD, 3406 HILLVIEW DRIVE, AT-LARGE

Councilmember Dillingham moved that the appointments be confirmed, which motion was duly seconded by Councilmember Kovach; and the question being upon confirming the appointments, 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 appointments were confirmed.

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Item 8, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-57 FOR THE PURCHASE OF 2,500 RECYCLE BINS FOR THE SANITATION DIVISION.

Acting as the Norman Municipal Authority, Trustee Dillingham moved that all bids meeting specifications be accepted and the bid in the amount of \$5.25 each for a total bid price of \$13,125 be awarded to Otto Environmental Systems, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated January 21, 2009, from Scottie Williams, Utilities Superintendent, to Norman Municipal Authority
- 2. Bid tabulation dated January 21, 2009, for the purchase of 2,500 recycle bins

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

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; and the bid in the amount of \$5.25 each for a total bid price of \$13,125 was awarded to Otto Environmental Systems, L.L.C., as the lowest and best bidder meeting specifications.

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Item 9, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF INFOWORKS WASTEWATER COLLECTION SYSTEM AND WATER SYSTEM MODEL SOFTWARE FROM WALLINGFORD SOFTWARE AND BUDGET APPROPRIATION.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that authorization for the purchase of Infoworks Wastewater Collection System Model and Water System Model Software from Wallingford Software in the amount of \$63,347 be approved and \$21,160 be appropriated from the Water Fund Balance (031-0000-253.00-00) to Project No. WW0042, Wastewater Flow Monitoring, Design (031-9337-432.62-01), which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated January 26, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
- 2. Quotation dated January 8, 2009, from Wallingford Software in the amount of \$63,347

and the question being upon approving authorization for the purchase of Infoworks Wastewater Collection System Model and Water System Model Software from Wallingford Software in the amount of \$63,347 and upon the subsequent appropriation, a vote was taken with the following result:

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 authorization for the purchase of Infoworks Wastewater Collection System Model and Water System Model Software from Wallingford Software in the amount of \$63,347 approved; and \$21,160 was appropriated from the Water Fund Balance (031-0000-253.00-00) to Project No. WW0042, Wastewater Flow Monitoring, Design (031-9337-432.62-01).

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Item 10, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-0809-2 FOR DAVENPORT ACRES #2.

Councilmember Dillingham moved that Norman Rural Certificate of Survey No. COS-0809-2 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated January 21, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Site plan
- 4. Norman Rural Certificate of Survey No. COS-0809-2
- 5. Flood plain map
- 6. Staff Report dated January 8, 2009, recommending approval
- 7. Pertinent excerpts from Planning Commission minutes of January 8, 2009

and the question being upon approving Norman Rural Certificate of Survey No. COS-0809-2 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 Norman Rural Certificate of Survey No. COS-0809-2 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 11, being:

AMENDMENT NO. THREE TO CONTRACT NO. K-0304-149: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR THE WASTEWATER TREATMENT PLANT SLUDGE HANDLING IMPROVEMENTS PROJECT EXTENDING THE CONTRACT THROUGH SEPTEMBER 30, 2009.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that Amendment No. Three to Contract No. K-0304-149 with EPA extending the contract to September 30, 2009, be approved and the execution thereof and the Chairman be authorized to sign future documents related to the grant management including requests for EPA reimbursements, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated January 27, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
- 2. Amendment No. Three to Contract No. K-0304-149

and the question being upon approving Amendment No. Three to Contract No. K-0304-149 with EPA extending the contract to September 30, 2009, and upon the subsequent authorizations, a vote was taken with the following result:

YEAS: Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Amendment No. Three to Contract No. K-0304-149 with EPA extending the contract to September 30, 2009, approved; and the execution thereof and the Chairman were authorized to sign future documents related to the grant management including requests for EPA reimbursements.

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Item 12, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0809-69 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND REX PLAYGROUND EQUIPMENT FOR THE ANDREWS PARK CLIMBING BOULDER PORTION OF THE PARKS PLAYGROUND ADDITIONS PROJECT.

Councilmember Dillingham moved that the project be accepted and final payment in the amount of \$950 to Rex Playground Equipment be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated January 21, 2009, from Jud Foster, Director of Parks and Recreation, to Mayor and City Councilmembers
- 2. Purchase Order No. 166110 dated October 30, 2008, in the amount of \$19,000 subtracting partial payment in the amount of \$18,050 leaving a balance of \$950

and the question being upon accepting the project 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
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NAYES:	None
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The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$950 to Rex Playground Equipment was directed.

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Item 13, being:

RESOLUTION NO. R-0809-107: A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$18,222.14 FROM A CAPITAL OUTLAY ACCOUNT AND APPROPRIATING \$2,777.86 FROM THE GENERAL FUND BALANCE TO REPLACE A WRECKED VEHICLE FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Dillingham moved that Resolution No. R-0809-107 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated January 14, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-107

and the question being upon adopting Resolution No. R-0809-107, a vote was taken with the following result:

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 Resolution No. R-0809-107 was adopted.

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Item 14, being:

RESOLUTION NO. R-0809-109: A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE ENVIRONMENTAL CONTROL ADVISORY BOARD'S TWELVE GOALS FOR REDUCING EMISSIONS OF CITY OF NORMAN OPERATIONS AND THE COMMUNITY AS A WHOLE.

Councilmember Dillingham moved that Resolution No. R-0809-109 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated February 4, 2009, from Leah Bunney, Assistant City Attorney, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0809-109
- 3. Pertinent excerpts from City Council Planning and Community Development Committee minutes of January 9, 2009

Participants in discussion

- 1. Ms. Debbie Smith, Environmental Services Coordinator
- 2. Mr. Steve Lewis, City Manager

and the question being upon adopting Resolution No. R-0809-109, a vote was taken with the following result:

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 Resolution No. R-0809-109 was adopted.

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Item 15, being:

RESOLUTION NO. R-0809-110: A RESOLUTION OF NORMAN UTILITIES AUTHORITY APPROPRIATING \$277,366 FROM THE WATER FUND BALANCE TO PURCHASE OPERATING CHEMICALS FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that Resolution No. R-0809-110 be adopted, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated January 26, 2009, from Bryan Hapke, Supervisor, Water Treatment Division, to Norman Utilities Authority
- 2. Resolution No. R-0809-110

and the question being upon adopting Resolution No. R-0809-110, a vote was taken with the following result:

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 Resolution No. R-0809-110 was adopted.

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Item 16, being:

RESOLUTION NO. R-0809-111: A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$21,500 FROM THE EMERGENCY COMMUNICATIONS FUND BALANCE TO PROVIDE PAYMENT TO NEXTEL WEST CORPORATION AS PER CONTRACT NO. K-0809-45 TO COMPLETE THE PROCESS OF REBANDING FREQUENCIES.

Councilmember Dillingham moved that Resolution No. R-0809-111 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated January 23, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-111

and the question being upon adopting Resolution No. R-0809-111, a vote was taken with the following result:

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 Resolution No. R-0809-111 was adopted.

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Item 17, being:

PROCLAMATION NO. P-0809-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF FEBRUARY, 2009, AS BLACK HISTORY MONTH IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-0809-11 proclaiming the month of February, 2009, as Black History Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Proclamation No. P-0809-11

Participants in discussion

- 1. George and Barbara Henderson accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-11 proclaiming the month of February, 2009, as Black History Month in the City of Norman 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
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-11 proclaiming the month of February, 2009, as Black History Month in the City of Norman acknowledged; and the filing thereof was directed.

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Item 18, being:

RESOLUTION NO. R-0809-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-0809-8, SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER, SECTION 15, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE EXISTING URBAN SERVICE AREA AND MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA, LOW DENSITY RESIDENTIAL, AND MIXED USE SPECIAL PLANNING AREA 7 DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CEDAR LANE AND 24TH AVENUE S.E.)

Councilmember Cubberley moved that Resolution No. R-0809-63, Land Use Plan Amendment No. LUP-0809-8, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated January 14, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-63, Land Use Plan Amendment No. LUP-0809-8
3. Location map
4. Staff Report dated January 8, 2009, recommending approval with conditions
5. Norman Predevelopment Summary dated September 25, 2008
6. Pertinent excerpts from Planning Commission minutes of November 13, 2008; December 11, 2008; and January 8, 2009
7. Norman Market Analysis, February, 2009

Participants in discussion

1. Mr. Kim Fugitt, Post Office Box 13000, Fayetteville, Arkansas, Lindsey Management Company, architect representing the applicant
2. Mr. Jerry Kelso, 235 North MacArthur Boulevard, Suite 200, Oklahoma City, Crafton, Tull, and Sparks, engineer representing the developer
3. Mr. Ernie Peters, Peters and Associates Engineers, Inc., 5507 Ranch Drive, Suite 205, Little Rock, Arkansas, traffic engineer representing the developer
4. Mr. Doug Koscinski, Manager, Current Planning Division
5. Mr. Angelo Lombardo, City Traffic Engineer
6. Mr. Harold Heiple, 218 East Eufaula Street, attorney representing developers of Saint James Place
7. Mr. Jeff Bryant, City Attorney
8. Mr. Mark Daniels, Engineer
9. Mr. Alan Haws, 4401 Northridge Road, made comments
10. Mr. Bobby Stevens, 3801 108th Avenue S.E., asked questions

Councilmember Kovach moved that Resolution No. R-0809-63 be postponed for two weeks, which motion was duly seconded by Councilmember Butler;

Participants in discussion

1. Mr. Kim Fugitt, Post Office Box 13000, Fayetteville, Arkansas, Lindsey Management Company, architect representing the applicant

Thereupon Councilmember Kovach withdrew his motion to postpone with concurrence from the second and the question being upon adopting Resolution No. R-0809-63, Land Use Plan Amendment No. LUP-0809-8, and upon the subsequent amendment, 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-0809-63, Land Use Plan Amendment No. LUP-0809-8, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

Item 19, being:

ORDINANCE NO. O-0809-24: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CEDAR LANE AND 24TH AVENUE S.E.)

Ordinance No. O-0809-24 having been Introduced and adopted upon First Reading by title in City Council's meeting of January 27, 2009, Councilmember Butler moved that Ordinance No. O-0809-24 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated January 14, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Memorandum dated February 2, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Steve Lewis, City Manager
3. Ordinance No. O-0809-24 with Exhibit A, site development plan
4. Location map
5. Design Statement for the Planned Unit Development of the Links at Norman dated October 30, 2008, with Exhibit A, Custom Deluxe III rendering; Exhibit B, Classic Deluxe III rendering; and Exhibit C, Golf Course Clubhouse rendering
6. Staff Report dated January 8, 2009, recommending approval
7. Petition of concerns/protest dated November 4, 2008, from Cedar Lane Estates Homeowners' Association to Norman Planning Commission containing fourteen signatures
8. Letter of Protest dated November 10, 2008, from Anthony Mirzaie to Norman Planning Commission
9. Letter of Protest dated November 10, 2008, from Anthony Mirzaie for St. James Park, L.L.C., to Norman Planning Commission
10. Letter of Protest dated November 10, 2008, from Jay Cervi, Manager, Heritage Fine Homes, L.L.C. to Norman Planning Commission
11. Protest area map containing 24.8% protest
12. Letter dated February 6, 2009, from Harold Heiple, Heiple Law Offices, Inc., to Public Works and Planning Departments

Thereupon, Councilmember Cubberley moved that Section 6.2 of the Links at Norman Planned Unit Development Narrative be amended to require a regional sewer solution, which motion was duly seconded by Councilmember Dillingham; and the question being upon amending Section 6.2 of the of the Links at Norman Planned Unit Development Narrative to require a regional sewer solution, a vote was taken with the following result:

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 Section 6.2 of the Links at Norman Planned Unit Development Narrative was amended to require a regional sewer solution.

and the question being upon adopting Ordinance No. O-0809-24, as amended, 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
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-0809-24, as amended, was adopted upon Second Reading section by section.

Item 19, continued:

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-24, as amended, 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-0809-24, as amended, 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-0809-24, as amended, was adopted upon Final Reading as a whole.

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Item 20, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR LINKS AT NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT.

Councilmember Dillingham moved that the preliminary plat for Links at Norman Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated January 26, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Staff Report dated January 8, 2009
5. Site development plan
6. Development Review Form of Transportation Impacts dated January 27, 2009, conducted by Angelo A. Lombardo, P.E., City Traffic Engineer, for the Links at Norman
7. Letter dated February 4, 2009, from Ernest J. Peters, P.E., President, Peters and Associates Engineers, Inc., to Mr. Angelo A. Lombardo, P.E., City Traffic Engineer with attached preliminary plat of St. James Park showing Option A
8. Traffic Study for Cedar Lane and 24th Avenue S.E. dated October 10, 2008, and revised October 30, 2008, prepared by Peters and Associates Engineers, Inc.
9. Pertinent excerpts from Board of Parks Commissioners minutes of December 3, 2008
10. Pertinent excerpts from Board of Parks Commissioners Special Meeting minutes of December 8, 2008
11. Letter dated February 6, 2009, from Harold Heiple, Heiple Law Offices, Inc., to Public Works and Planning Departments

Participants in discussion

1. Mr. Doug Koscinski, Manager, Current Planning Division

Thereupon, Councilmember Dillingham moved to amend items in the preliminary plat to reflect a regional sewer solution, which motion was duly seconded by Councilmember Kovach; and the question being upon amending items in the preliminary plat to reflect a regional sewer solution, 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 items in the preliminary plat were amended to reflect a regional sewer solution.

Item 19, continued:

and the question being upon approving the preliminary plat for Links at Norman Addition, a Planned Unit Development, as amended, 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 preliminary plat for Links at Norman Addition, a Planned Unit Development, as amended, was approved.

* * * * *

Councilmember Dillingham acknowledged receipt of a letter of intent dated February 6, 2009, from Harold Heiple, attorney representing St. James Additions, outlining proposed changes to be submitted on the Preliminary Plat for St. James Park Addition, which will address traffic issues on 24th Avenue S.E. and Cedar Lane.

* * * * *

Item 21, being:

CONTRACT NO. K-0809-115: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE LINKS AT NORMAN, AN ARKANSAS LIMITED PARTNERSHIP, FOR THE LINKS AT NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT, LIFT STATION AGREEMENT.

Acting as the Norman Utilities Authority, Trustee Cubberley moved that Contract No. K-0809-115 with the Links at Norman, an Arkansas Limited Partnership, be postponed until February 24, 2009, which motion was duly seconded by Trustee Dillingham;

Items submitted for the record

- 1. Memorandum dated January 28, 2009, from Mark Daniels, Utilities Engineer, to Honorable Mayor and City Council
- 2. Contract No. K-0809-115 with Exhibit "A," cost estimate and Exhibit "B," proposed lift station service area

and the question being upon postponing Contract No. K-0809-115 with the Links at Norman, an Arkansas Limited Partnership, until February 24, 2009, a vote was taken with the following result:

YEAS: Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract No. K-0809-115 with the Links at Norman, an Arkansas Limited Partnership, was postponed until February 24, 2009.

* * * * *

Item 22, being:

ORDINANCE NO. O-0809-30: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING AND ADDING A SUBSECTION TO SECTION 15-703 OF CHAPTER 15 OF THE CODE OF THE CITY OF NORMAN TO PROVIDE A PRESUMPTION OF THE VIOLATOR’S IDENTITY FOR LITTERING; AND PROVIDING FOR THE SEVERABILITY THEREOF

Ordinance No. O-0809-30 having been Introduced and adopted upon First Reading by title in City Council’s meeting of January 27, 2009, Councilmember Kovach moved that Ordinance No. O-0809-30 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated January 21, 2009, from Ken Komiske, Director of Utilities, to the Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-30
3. Legislatively notated copy of Ordinance No. O-0809-30

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities
2. Ms. Rebecca Frazier, Assistant City Attorney

and the question being upon adopting Ordinance No. O-0809-30 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-0809-30 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-0809-30 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-0809-30 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-0809-30 was adopted upon Final Reading as a whole.

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MISCELLANEOUS DISCUSSION

Councilmember Quinn asked the City Manager to provide a report on recent sales tax collections and encouraged citizens to “Shop Norman”.

Mr. Steve Lewis, City Manager, said Staff received the December sales tax collections this week and they were 5.1% higher than last year.

*

Black History Month. Councilmember Dillingham acknowledged Black History Month.

*

Miscellaneous Discussion, continued:

Inclusive Communities Dialogue. Councilmember Dillingham said she had attended the Inclusive Community Dialogue held Tuesday, February 3, 2009, at the University of Oklahoma. She said it had been very enlightening to meet young, intelligent people who were not desirous of living and staying in Norman. She pledged she will continue to foster a culture of inclusivity in Norman that will attract young people to come to Norman to attend college and attract businesses to employ them so they will choose Norman as a place to stay and raise families.

*

School Board Election. Councilmember Ezzell extended congratulations to Brooks Hull for being elected this evening to the Norman Board of Education.

*

Interstate 35 Widening Project. Mayor Rosenthal reminded citizens that the Oklahoma Department of Transportation was holding a town meeting Thursday, February 26, 2009, at 6:00 p.m., at the Embassy Suites Hotel to discuss the widening of Interstate 35.

Mr. Steve Lewis, City Manager, announced that the widening project would begin February 15, 2009. I-35 would continue to have two lanes open each way during the day but would be only one lane each way from the hours of 10:00 p.m. to 6:00 p.m.

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ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Quinn; 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 9:12 p.m.

ATTEST:

City Clerk

Mayor