

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

February 24, 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 24th 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, Griffith, Kovach, Quinn,
Mayor Rosenthal

ABSENT: Councilmember Ezzell and Thompson

The Pledge of Allegiance was led by students from Trinity Lutheran School.

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Item 3, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM
TRINITY LUTHERAN SCHOOL.

Mayor Rosenthal presented Citizenship Awards to students, Natalie Patison, Isabela Portillo, Trinity Osborn, Eliza Marsh, Austin Johnson, Alex Laffin, Kampton Kyle, and Christian Bowman. Mrs. Christine Lee, Principal of Trinity Lutheran School, said the students were selected as representatives of good citizens of Trinity Lutheran School.

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Item 4, being:

PRESENTATION OF AWARDS FROM THE OKLAHOMA MUNICIPAL LEAGUE TO THE
FOLLOWING CITY OF NORMAN EMPLOYEES WHO HAVE COMPLETED 25 YEARS OF
CONTINUOUS SERVICE:

1. DONALD BLAKE, MASTER POLICE OFFICER
2. JOHN BROWN, SANITATION WORKER II
3. JIMMY DESKIN, CREW CHIEF, WATER LINE MAINTENANCE DIVISION
4. LARRY GARNER, HEAVY EQUIPMENT OPERATOR, SANITATION DIVISION
5. ROBERT GREEN, HEAVY EQUIPMENT OPERATOR, LINE MAINTENANCE DIVISION
6. JAMES HENRY, MASTER POLICE OFFICER
7. LONNY LARSON, PLANT OPERATOR "B", WASTEWATER TREATMENT PLANT
8. KENNETH MCCAGE, FIREFIGHTER
9. ROBERT MOORE, MASTER POLICE OFFICER
10. LEONARD PELFREY, FIRE DRIVER ENGINEER
11. GREGORY RITCHIE, POLICE MAJOR
12. JASON ROGERS, FIRE CAPTAIN
13. DEVRA SMITH, ADMINISTRATIVE ASSISTANT IV
14. TIMOTHY TERREL, FIRE DRIVER ENGINEER
15. STEVEN WOMACK, UTILITIES SUPERVISOR, SANITATION DIVISION

Mayor Rosenthal presented awards and pins from the Oklahoma Municipal League to City of Norman employees who have completed 25 years of continuous service. James Henry; Lonny Larson; Gregory Ritchie; Jason Rogers; Devra Smith; and Timothy Terrel were present to accept their awards.

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Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 26 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Quinn; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 26, a vote was taken with the following result:

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

The Mayor declared the motion carried and Item 6 through Item 26 were placed on the consent docket by unanimous vote.

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Item 6, being:

- CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 3, 2009
- CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 10, 2009
- CITY COUNCIL MINUTES OF FEBRUARY 10, 2009
- NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 10, 2009
- NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 10, 2009
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF FEBRUARY 10, 2009

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

Items submitted for the record

1. City Council Study Session minutes of February 3, 2009
2. City Council Conference minutes of February 10, 2009
3. City Council minutes of February 10, 2009
4. Norman Utilities Authority minutes of February 10, 2009
5. Norman Municipal Authority minutes of February 10, 2009
6. Norman Tax Increment Finance Authority minutes of February 10, 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, Griffith, Kovach, Quinn, 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 7, being:

CONSIDERATION OF THE FOLLOWING ORDINANCE UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-37: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 20-528 OF CHAPTER 20 OF THE CODE OF THE CITY OF NORMAN REQUIRING THE DRIVER OF A MOTOR VEHICLE, IF POSSIBLE, TO CHANGE LANES INTO A LANE NOT ADJACENT TO A STATIONARY EMERGENCY VEHICLE; REQUIRING THE DRIVER OF A MOTOR VEHICLE TO REDUCE THE SPEED OF THE MOTOR VEHICLE WHEN PASSING A STATIONARY EMERGENCY VEHICLE IF THE DRIVER IS UNABLE TO CHANGE LANES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach 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. Memorandum dated February 16, 2009, from Phil Cotten, Chief of Police, to the Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0809-37
- 3. Legislatively notated copy of Ordinance No. O-0809-37

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, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

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

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Item 8, being:

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

BICYCLE ADVISORY BOARD

- TERM: 02-13-09 TO 02-13-12: AMY CERATO, 906 80TH AVENUE S.E.
- TERM: 02-13-09 TO 02-13-12: NEIL SUNESON, 1803 PETER PAN STREET
- TERM: 02-13-09 TO 02-13-12: HARRY WRIGHT, 3351 ALLSPICE RUN

BOARD OF APPEALS

- TERM: 02-03-09 TO 02-03-13: BILL FORESTER, 4005 INNSBROOK COURT
- TERM: 02-03-09 TO 02-03-13: GAIL ARMSTRONG, 1418 ASPEN LANE

ENVIRONMENTAL CONTROL ADVISORY BOARD

- TERM: 02-24-09 TO 10-27-10 LYNN ROSE, 804 SOUTH LAHOMA AVENUE

HISTORIC DISTRICT COMMISSION

- TERM: 10-26-08 TO 10-26-11: JAYNE CRUMPLEY, 423 ELM AVENUE
- TERM: 10-26-08 TO 10-26-11: ANAIS STARR, 1230 WEST BROOKS STREET

TREE BOARD

- TERM: 02-24-09 TO 05-14-12: CHRISTOPHER FOWLER, 530 SOUTH FLOOD AVENUE
- TERM: 02-24-09 TO 05-14-10 BREEA BACON, 518 MIDLAND DRIVE

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

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

NAYES: None

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

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Item 9, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2009.

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

Items submitted for the record

- 1. Finance Director's Investment Report of January 31, 2009

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

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

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Item 10, being:

SUBMISSION OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JANUARY, 2009.

Councilmember Kovach moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Monthly Departmental Reports for the month of January, 2009

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

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

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Item 11, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-0809-5; CONTRACT NO. K-0809-55; PERFORMANCE BOND NO. B-0809-17; STATUTORY BOND NO. B-0809-18, MAINTENANCE BOND NO. MB-0809-11, AND RESOLUTION NO. R-0809-43 FOR THE WESTWOOD GOLF PRO SHOP ROOF REPLACEMENT PROJECT.

Councilmember Kovach moved that Request for Proposal No. RFP-0809-5 from Nester Commercial Roofing, Inc., for the Westwood Golf Pro Shop Roof Replacement Project be accepted; Contract No. K-0809-55 in the amount of \$33,000 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-0809-43 be adopted, which motion was duly seconded by Councilmember Cubberley;

Item 11, continued:

Items submitted for the record

1. Memorandum dated February 9, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Request for Proposal tabulation dated February 9, 2009, for the Westwood Golf Pro Shop Roof Replacement Project
3. Proposal dated December 5, 2008, from Bill Nester, Nester Commercial Roofing, Inc., in the amount of \$33,000
4. Contract No. K-0809-55
5. Performance Bond No. B-0809-17
6. Statutory Bond No. B-0809-18
7. Maintenance Bond No. MB-0809-11
8. Resolution No. R-0809-43
9. Purchase Requisition No. 0000153245 dated February 9, 2009, in the amount of \$33,000 to Nester Commercial Roofing, Inc.

and the question being upon accepting Request for Proposal No. RFP-0809-5 from Nester Commercial Roofing, Inc., for the Westwood Golf Pro Shop Roof Replacement Project and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Request for Proposal No. RFP-0809-5 from Nester Commercial Roofing, Inc., for the Westwood Golf Pro Shop Roof Replacement Project accepted; Contract No. K-0809-55 in the amount of \$33,000 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-0809-43 was adopted.

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Item 12, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-41 FOR THE PURCHASE OF TWO (2) FRONT LOADING REFUSE TRUCKS FOR THE SANITATION DIVISION.

Acting as the Norman Municipal Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$442,586 less trade-in of \$43,000 for a total bid price of \$399,586 be awarded to J & R Equipment, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated January 19, 2009, from Mike White, Fleet Management Superintendent, to Mayor and City Council
2. Bid tabulation for two (2) front loading refuse trucks

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, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$442,586 less trade-in of \$43,000 for a total bid price of \$399,586 was awarded to J & R Equipment, L.L.C., as the lowest and best bidder meeting specifications.

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Item 13, being:

CONSIDERATION OF BID NO. 0809-55, CONTRACT NO. K-0809-105, PERFORMANCE BOND NO. B-0809-42, STATUTORY BOND NO. B-0809-43, MAINTENANCE BOND NO. MB 0809-37, AND RESOLUTION NO. R-0809-114 FOR THE 36TH AVENUE AND MAIN STREET WEST IRRIGATION, LANDSCAPING, LIGHTING, AND STREET AND PARKING IMPROVEMENT PROJECT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$226,084.50 be awarded to Nash Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-105 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; execution of the contract be authorized; Resolution No. R-0809-114 be adopted; and \$156,000 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0229, Main and 36th Intersection Widening Project, Construction (050-9079-431.61-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated January 30, 2009, from Lonnie Ferguson, Capital Projects Engineer, to Honorable Mayor and City Councilmembers
2. Letter dated January 30, 2009, from R. Alan Hendrick, P.E., Robert B. Hendrick and Sons Company, Inc., to Mr. Lonnie Ferguson, P.E., Capital Projects Engineer
3. Bid tabulation for the 36th Avenue West and Main Street Irrigation, Landscaping, Lighting, and Street/Parking Improvements Project
4. Itemized costs for project
5. Map detailing location of improvements
6. Location map of additional right-of-way to be acquired to continue 34th Street as a public street
7. Contract No. K-0809-105
8. Performance Bond No. B-0809-42
9. Statutory Bond No. B-0809-43
10. Maintenance Bond No. MB-0809-37
11. Resolution No. R-0809-114
12. Purchase Requisition No. 153058 dated February 2, 2009, in the amount of \$226,084.50 to Nash Construction Company, Inc.

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

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

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$226,084.50 was awarded to Nash Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-105 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract was authorized; Resolution No. R-0809-114 was adopted; and \$156,000 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0229, Main and 36th Intersection Widening Project, Construction (050-9079-431.61-01).

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Item 14, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$500 FROM THE WAL-MART FOUNDATION TO THE ANNUAL NORMAN POLICE AND FIRE CHILI SUPPER BENEFITING THE CLEVELAND COUNTY CHRISTMAS STORE.

Councilmember Kovach moved that a donation in the amount of \$500 from the Wal-Mart Foundation to the Norman Police and Fire Chili Supper benefiting the Cleveland County Christmas Store be accepted, Contributions-Organizations (010-0000-365.13-73) be increased by \$500, and \$500 be appropriated to Miscellaneous Services/Contributions-Organizations (010-1087-411.47-41), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 17, 2009, from Phil Cotten, Police Chief, to Honorable Mayor and City Councilmembers

and the question being upon accepting a donation in the amount of \$500 from the Wal-Mart Foundation to the Norman Police and Fire Chili Supper benefiting the Cleveland County Christmas Store and upon the subsequent increase and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a donation in the amount of \$500 from the Wal-Mart Foundation to the Norman Police and Fire Chili Supper benefiting the Cleveland County Christmas Store accepted; Contributions-Organizations (010-0000-365.13-73) was increased by \$500 and \$500 was appropriated to Miscellaneous Services/Contributions-Organizations (010-1087-411.47-41).

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Item 15, being:

CONSIDERATION OF RELEASE OF THE FOLLOWING SUBDIVISION BONDS AND CASH SURETIES TO SECURE VEGETATIVE COVER:

<u>BOND NO.</u>	<u>IMPROVEMENTS</u>	<u>CASH SURETY</u>	<u>SUBDIVISION</u>
B-0506-52	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 21980 (\$3,520)	SUMMIT VALLEY ADDITION
B-0506-147	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 22270 (\$1,910.10)	BROOKHAVEN NO. 40 ADDITION
B-0607-89	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 22712 (\$12,140.58)	SUMMIT LAKES ADDITION, SECTION 9

Councilmember Kovach moved that the release of the owner's obligation secured by the subdivision bonds be approved and the return of the cash sureties be directed to the owner, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 6, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Subdivision Bond No. B-0506-62 with Exhibit A, legal description
3. Location map for Summit Valley Addition
4. Letter of request dated August 6, 2008, from Don Cies, President, MSDC Properties, L.L.C., by Cies Properties, Inc., Manager, to Mr. Ken Danner, Development Coordinator
5. Development Committee action of September 22, 2005
6. Subdivision Bond No. B-0506-147 with Exhibit A, legal description
7. Location map for Brookhaven No. 40 Addition
8. Letter of request dated August 6, 2008, from Don Cies, President, Cies Properties, Inc., to Mr. Ken Danner, Development Coordinator

Item 15, continued:

Items submitted for the record, continued:

9. Development Committee Action of June 21, 2006
10. Subdivision Bond No. B-0607-89 with Exhibit A, legal description
11. Location map for Summit Lakes Addition, Section 9
12. Letter of request dated August 6, 2008, from Don Cies, President, Summit Lakes, L.L.C., to Mr. Ken Danner, Development Coordinator
13. Development Committee Action of April 24, 2007

and the question being upon approving the release of the owner’s obligation secured by the subdivision bonds and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the release of the owner’s obligation secured by the subdivision bonds approved; and the return of the cash sureties was directed to the owner.

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Item 16, being:

CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING DONATED EASEMENTS IN CONNECTION WITH THE ROBINSON STREET GRADE SEPARATION PROJECT:

<u>EASEMENT NO. – PARCEL NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0809-47 E-0809-48 PARCELS 11 & 11.1	THE UNIVERSITY OF OKLAHOMA	PUBLIC UTILITY AND TEMPORARY CONSTRUCTION
E-0809-63 & E-0809-64 PARCELS 12 & 12.1	THE UNIVERSITY OF OKLAHOMA	PUBLIC UTILITY AND TEMPORARY CONSTRUCTION
E-0809-65 E-0809-66 PARCELS 12.2 & 12.3	THE UNIVERSITY OF OKLAHOMA	PUBLIC UTILITY

Councilmember Kovach moved that the easements be accepted, the execution thereof be authorized, and the filing of the temporary easements with the City Clerk and the permanent easements with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 9, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
2. Easement Nos. E-0809-47 with Exhibit A, legal description
3. Temporary Easement No. E-0809-48 with Exhibit A, legal description
4. Location map for Easement Nos. E-0809-47 and E-0809-48
5. Easement No. E-0809-63 with Exhibit A, legal description
6. Temporary Easement No. E-0809-64 with Exhibit A, legal description
7. Easement Nos. E-0809-65 and E-0809-66 with Exhibits A, legal descriptions
8. Location map for Easement Nos. E-0809-63, E-0809-64, E-0809-65, and E-0809-66
9. Location map of right-of-way acquisitions

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

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

The Mayor declared the motion carried and the easements accepted; the execution thereof was authorized and the filing of the temporary easements with the City Clerk and the permanent easements with the Cleveland County Clerk was directed.

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Item 17, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR EASTPARK CROSSING ADDITION, SECTION II, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the final site development plan and final plat be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 9, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Final site development plan
5. Final plat
6. Staff Report dated December 11, 2008, recommending approval
7. Pertinent excerpts from Planning Commission minutes of December 11, 2008
8. Traffic Impact Study dated October 1, 2008, for Eastpark Crossing Addition, 12th Avenue S.E. and Alameda Street, prepared by Todd E. Butler, P.E., PTOE No. 15864, CA No. 1160, Traffic Engineering Consultants, Inc.

and the question being upon approving the final site development plan and final plat and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat was directed.

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Item 18, being:

CONSIDERATION OF ALLOWING THE REVITALIZATION DIVISION TO PROCESS APPLICATIONS FOR THE EMERGENCY SHELTER GRANT PROGRAM FOR THE HOMELESS FROM QUALIFYING AGENCIES TO BE SUBMITTED TO THE OKLAHOMA DEPARTMENT OF COMMERCE.

Councilmember Kovach moved that the processing of applications by the Revitalization Division for the Emergency Shelter Grant Program for the Homeless from qualifying agencies be approved, the submission of the City of Norman Applications for the Emergency Shelter Grant Program for the Homeless be directed to ODOC and upon approval from ODOC, the Mayor be authorized to sign the subsequent contracts contingent upon the City Attorney's approval, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 6, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers

Item 18, continued:

and the question being upon approving the processing of applications by the Revitalization Division for the Emergency Shelter Grant Program for the Homeless from qualifying agencies and upon the subsequent directive and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the processing of applications by the Revitalization Division for the Emergency Shelter Grant Program for the Homeless from qualifying agencies approved; the submission of the City of Norman Applications for the Emergency Shelter Grant Program for the Homeless was directed to ODOC and upon approval from ODOC, the Mayor was authorized to sign the subsequent contracts contingent upon the City Attorney's approval.

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Item 19, continued:

SPECIAL CLAIM NO. 0809-13: A CLAIM IN THE AMOUNT OF \$1,795.73 FROM SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA FOR DAMAGES INCURRED TO A TELEPHONE CABLE AT 621 EAST APACHE STREET BY A SEWER LINE MAINTENANCE CREW WHILE REPAIRING A SEWER MAIN.

Councilmember Kovach moved that Special Claim No. 0809-13 be approved and payment in the amount of \$1,795.73 be directed contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 12, 2009, from Jeanne Snider, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Special Claim No. 0809-13 dated January 30, 2009, submitted by Southwestern Bell Telephone Company d/b/a AT&T Oklahoma in the amount of \$1,795.73
3. Memorandum dated February 9, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. Mark Daniels, Utilities Engineer

and the question being upon approving Special Claim No. 0809-13 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Special Claim No. 0809-13 approved; and payment in the amount of \$1,795.73 was directed contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma.

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Item 20, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0809-70 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RICHEY FENCE AND LANDSCAPE, L.L.C., FOR THE GRIFFIN PARK SOFTBALL COMPLEX FENCE PROJECT.

Councilmember Kovach moved that the project be accepted and final payment in the amount of \$3,747.35 to Richey Fence and Landscape, L.L.C., be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated February 4, 2009, from Jud Foster, Director of Parks and Recreation, to Mayor and City Councilmembers
- 2. Purchase Order No. 166111 dated October 30, 2008, in the amount of \$74,947 subtracting partial payments totaling \$71,199.65 leaving a balance of \$3,747.35

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, Griffith, Kovach, Quinn, 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 \$3,747.35 to Richey Fence and Landscape, L.L.C., was directed.

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Item 21, being:

CONSIDERATION OF THE FOLLOWING CONTRACTS:

CONTRACT NO. K-0809-109: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CLEVELAND COUNTY AGING SERVICES FOR THE USE OF THE SENIOR CITIZENS CENTER LOCATED AT 329 SOUTH PETERS AVENUE AS PART OF THE CLEVELAND COUNTY NUTRITION PROJECT.

CONTRACT NO. K-0809-113: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CLEVELAND COUNTY AGING SERVICES FOR THE USE OF THE LITTLE AXE COMMUNITY CENTER LOCATED AT 1000 168TH AVENUE S.E. AS PART OF THE CLEVELAND COUNTY NUTRITION PROJECT.

Councilmember Kovach moved that Contract No. K-0809-109 with Cleveland County Aging Services for the use of the Senior Citizens Center located at 329 South Peters Avenue as part of the Cleveland County Nutrition Project be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated January 2, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Contract No. K-0809-109

and the question being upon approving Contract No. K-0809-109 with Cleveland County Aging Services for the use of the Senior Citizens Center located at 329 South Peters Avenue as part of the Cleveland County Nutrition Project and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0809-109 with Cleveland County Aging Services for the use of the Senior Citizens Center located at 329 South Peters Avenue as part of the Cleveland County Nutrition Project approved; and the execution thereof was authorized.

Item 21, continued:

Thereupon, Councilmember Kovach moved that Contract No. K-0809-113 with Cleveland County Aging Services for the use of the Little Axe Community Center located at 1000 168th Avenue N.E. as part of the Cleveland County Nutrition Project be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated January 2, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Contract No. K-0809-113

and the question being upon approving Contract No. K-0809-113 with Cleveland County Aging Services for the use of the Little Axe Community Center located at 1000 168th Avenue N.E. as part of the Cleveland County Nutrition Project and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0809-113 with Cleveland County Aging Services for the use of the Little Axe Community Center located at 1000 168th Avenue N.E. as part of the Cleveland County Nutrition Project approved; and the execution thereof was authorized.

* * * * *

Item 22, 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 Kovach moved that Contract No. K-0809-115 with the Links at Norman, an Arkansas Limited Partnership, be postponed until March 10, 2009; which motion was duly seconded by Trustee Cubberley;

Participants in discussion

- 1. Mr. Jeff Bryant, City Attorney

and the question being upon postponing Contract No. K-0809-115 with the Links at Norman, an Arkansas Limited Partnership, until March 10, 2009, a vote was taken with the following result:

YEAS:	Trustees Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and Contract No. K-0809-115 with the Links at Norman, an Arkansas Limited Partnership, was postponed until March 10, 2009.

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Item 23, being:

CONTRACT NO. K-0809-118: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TRANS-TEL CENTRAL, INC., TO PROVIDE ENGINEERING DESIGN SERVICES AND INSTALLATION OF A FIBER OPTIC NETWORK TO CITY OF NORMAN FACILITIES.

Councilmember Kovach moved that Contract No. K-0809-118 with Trans-Tel Central, Inc., in the amount of \$619,425 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated February 10, 2009, from Kari Madden, Network Manager, to the Honorable Mayor and City Councilmembers
- 2. Contract No. K-0809-118 with Attachment A, location map, and Attachment B, list of project locations and costs
- 3. Purchase Requisition No. 0000153335 dated February 10, 2009, to Trans-Tel Central, Inc., in the amount of \$619,425

Participants in discussion

- 1. Mr. Anthony Francisco, Director of Finance

and the question being upon approving Contract No. K-0809-118 with Trans-Tel Central, Inc., in the amount of \$619,425 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0809-118 with Trans-Tel Central, Inc., in the amount of \$619,425 approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONSIDERATION OF THE RATIFICATION OF CONTRACT NO. K-0809-119, A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) TO PROVIDE FOR THE REMOVAL AND DISPOSAL OF DEBRIS ON LITTLE RIVER CREATED BY THE ICE STORM OF 2007.

Councilmember Kovach moved that Contract No. K-0809-119 with the United States Department of Agriculture Natural Resources Conservation Service be ratified, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated February 3, 2009, from Greg Hall, Street Superintendent, to Mayor and City Council
- 2. Contract No. K-0809-119 with Attachment A, Special Provisions; Cost of Work to be Contracted; and Sponsor's Construction Specification
- 3. Location map

and the question being upon ratifying K-0809-119 with the United States Department of Agriculture Natural Resources Conservation Service, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0809-119 with the United States Department of Agriculture Natural Resources Conservation Service was ratified.

* * * * *

Item 25, being:

PROCLAMATION NO. P-0809-12: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, FEBRUARY 28, 2009, AS AMBUCS SERVICE DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-12 proclaiming Saturday, February 28, 2009, as Ambucs Service Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Proclamation No. P-0809-12

Participants in discussion

- 1. Ms. Mary Lynne Simer, Sooner AMBUCS member, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-12 proclaiming Saturday, February 28, 2009, as Ambucs Service Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-12 proclaiming Saturday, February 28, 2009, as Ambucs Service Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 26, being:

PROCLAMATION NO. P-0809-13: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MARCH, 2009, AS AMERICAN RED CROSS MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-13 proclaiming the month of March, 2009, as American Red Cross Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Proclamation No. P-0809-13

Participants in discussion

- 1. Ms. Mariann Lawson, Executive Director of the Heart of Oklahoma Chapter of American Red Cross, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-13 proclaiming the month of March, 2009, as American Red Cross Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-13 proclaiming the month of March, 2009, as American Red Cross Month in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 27, being:

RESOLUTION NO. R-0809-112: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AFFIRMING CONFORMANCE WITH THE CITY OF NORMAN FOURTH YEAR ACTION PLAN OF THE FIVE-YEAR CONSOLIDATED PLAN; APPROVING THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP), THE NEIGHBORHOOD STABILIZATION PROGRAM GRANT APPLICATION IN THE AMOUNT OF \$326,586, AND ALL REQUIRED CERTIFICATIONS AND ALLOCATIONS OF NEIGHBORHOOD STABILIZATION PROGRAM GRANT FUNDS TO ELIGIBLE PROGRAM ACTIVITIES; AND AUTHORIZING THE MAYOR TO EXECUTE ALL APPLICATION DOCUMENTS, CERTIFICATION FUNDING AWARDS, AND GRANT AGREEMENTS WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND THE STATE OF OKLAHOMA AS FUNDING IS BEING MADE AVAILABLE THROUGHOUT THE STATE OF OKLAHOMA'S ALLOCATION OF NEIGHBORHOOD STABILIZATION PROGRAM FUNDS, AS WELL AS ALL DOCUMENTS ASSOCIATED WITH NEIGHBORHOOD STABILIZATION PROGRAM IMPLEMENTATION AND THE PURCHASE, REHABILITATION, AND CONVEYANCE OF ABANDONED AND FORECLOSED UPON HOMES.

Councilmember Kovach moved that Resolution No. R-0809-112 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Memorandum dated January 29, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-112
3. Neighborhood Stabilization Program Application

Participants in discussion

1. Ms. Linda Price, Revitalization Manager

and the question being upon adopting Resolution No. R-0809-112, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-112 was adopted.

* * * * *

Item 28, being:

RESOLUTION NO. R-0809-115: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE NEIGHBORHOOD TRAFFIC MANAGEMENT AND CALMING PROGRAM MANUAL WITH THE LATEST MODIFICATIONS AS THE CITY'S REFERENCE DOCUMENT FOR ITS TRAFFIC CALMING PROGRAM.

Councilmember Kovach moved that Resolution No. R-0809-115 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated January 29, 2009, from Michael D. Rayburn, Assistant City Traffic Engineer, to Honorable Mayor and City Council
2. Resolution No. R-0809-115
3. Neighborhood Traffic Management and Calming Program, dated December, 2003, revised August, 2007, and amended February 24, 2009
4. City Council Oversight Committee minutes of October 1, November 5, and November 19, 2008
5. City Council Study Session minutes of January 20, 2009

Participants in discussion

1. Mr. Angelo Lombardo, City Traffic Engineer
2. Mr. Chris Kneifl, 614 North University Boulevard, asked questions
3. Mr. Bobby Stevens, 3801 108th Avenue S.E., made comments

Item 28, continued:

and the question being upon adopting Resolution No. R-0809-115, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-115 was adopted.

* * * * *

Item 29, being:

ADOPTION OF THE FOLLOWING RESOLUTIONS:

RESOLUTION NO. R-0809-119: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AN ALTERNATIVE FUEL PROGRAM FOR THE CITY OF NORMAN.

RESOLUTION NO. R-0809-120: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AN APPLICATION TO SEEK FINANCIAL ASSISTANCE THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANTS FUND FOR IMPLEMENTATION OF A CONVERSION PROGRAM FOR COMPRESSED NATURAL GAS (CNG) SANITATION VEHICLES AND FOR THE CONSTRUCTION OF A CNG SLOW FILL FUELING STATION.

Councilmember Dillingham moved that Resolution Nos. R-0809-119 and R-0809-120 be adopted, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated February 17, 2009, from Mike White, Fleet Management Superintendent, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-119
- 3. City of Norman Alternative Fuel Program dated February, 2009
- 4. Application for financial assistance to the Association of Central Oklahoma Governments Public Fleet Conversion Grants Fund
- 5. Resolution No. R-0809-120

Participants in discussion

- 1. Mr. Shawn O’Leary, Director of Public Works
- 2. Mr. Mike White, Fleet Superintendent

and the question being upon adopting Resolution Nos. R-0809-119 and R-0809-120, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution Nos. R-0809-119 and R-0809-120 were adopted.

* * * * *

Item 30, being:

RESOLUTION NO. R-0809-76: 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-0809-10, 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 COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION, OF SAID CITY. (700 COPPERFIELD DRIVE)

Councilmember Kovach moved that Resolution No. R-0809-76, Land Use Plan Amendment No. LUP-0809-10, 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 26, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-76, Land Use Plan Amendment No. LUP-0809-10
3. Location map
4. Staff Report dated January 8, 2009, recommending approval with conditions
5. Pertinent excerpts from Planning Commission minutes of January 8, 2009

Participants in discussion

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

and the question being upon adopting Resolution No. R-0809-76, Land Use Plan Amendment No. LUP-0809-10, and upon the subsequent amendment, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-76, Land Use Plan Amendment No. LUP-0809-10, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 31, being:

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, OKLAHOMA, 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 TO 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-0809-31 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 10, 2009, Councilmember Quinn moved that Ordinance No. O-0809-31 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

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. Letter dated December 8, 2008, from Sean Paul Rieger, Attorney at Law – Architect, S.P. Rieger, P.L.L.C., to City Council, Planning Commission, and Planning Department
7. Norman Predevelopment Summary dated November 20, 2008

Item 31, continued:

and the question being upon adopting Ordinance No. O-0809-31 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-31 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-31 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-0809-31 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-31 was adopted upon Final Reading as a whole.

* * * * *

Item 32, being:

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-0809-32 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 10, 2009, Councilmember Quinn moved that Ordinance No. O-0809-32 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 26, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-32 with Exhibit A, site development plan
3. Location map
4. Staff Report dated January 8, 2009, recommending approval
5. Church site plan
6. Narrative for Greenleaf Trails Addition dated December 8, 2008, prepared by Sean Paul Rieger, the Rieger Law Group
7. Pertinent excerpts from Planning Commission minutes of January 8, 2009

Participants in discussion

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

and the question being upon adopting Ordinance No. O-0809-32 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-32 was adopted upon Second Reading section by section.

Item 32, continued:

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-32 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-0809-32 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-32 was adopted upon Final Reading as a whole.

* * * * *

Item 33, being:

CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR GREENLEAF TRAILS ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS.

Councilmember Quinn moved that the revised preliminary plat and waiver of alley requirements for Greenleaf Trails Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 17, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Revised preliminary site development plan
4. Revised preliminary plat
5. Approved preliminary plat
6. Staff Report dated January 8, 2009
7. Letter requesting waiver of alley requirements dated December 5, 2008, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Curtis McCarty, Chairman, Planning Commission
8. Traffic Impact Study dated May 16, 2007, for Greenleaf Addition and Little River Trails Addition prepared by Wayne Russell, P.E., PTOE, Oklahoma P.E., No. 16030, CA No. 1160, Traffic Engineering Consultants, Inc.

and the question being upon approving the revised preliminary plat and waiver of alley requirements for Greenleaf Trails Addition, a Planned Unit Development, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the revised preliminary plat and waiver of alley requirements for Greenleaf Trails Addition, a Planned Unit Development, was approved.

* * * * *

Item 34, being:

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.

Ordinance No. O-0809-36 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 10, 2009, Councilmember Kovach moved that Ordinance No. O-0809-36 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated February 2, 2009, from Brenda Hall, City Clerk, and Leah Bunney, Assistant City Attorney, to Honorable Mayor and City Councilmembers
2. Ordinance No. O-0809-36
3. Legislatively notated copy of Ordinance No. O-0809-36
4. Special Event Permit Application
5. City Council Oversight Committee minutes of December 3, 2008; December 17, 2008; January 7, 2009; and January 21, 2009
6. Pertinent excerpts from City Council Conference minutes of January 27, 2009

Participants in discussion

1. Ms. Leah Bunney, Assistant City Attorney
2. Ms. Brenda Hall, City Clerk
3. Mr. Jim Rickards, Manager of Embassy Suites Hotel, representing Norman Convention and Visitors Bureau, proponent
4. Mr. Sean Rieger, 136 Thompson Drive, representing the Chamber of Commerce, proponent
5. Mr. George James, 6301 Post Oak Road, asked questions
6. Mr. Jim Stanley, 3922 Pinetree Circle, asked questions
7. Mr. Walter Reif, 424 George Cross Drive, asked questions
8. Mr. Rick Fry, Executive Director of the Norman Arts Council, proponent

and the question being upon adopting Ordinance No. O-0809-36 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-36 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-36 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-0809-36 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-36 was adopted upon Final Reading as a whole.

MISCELLANEOUS DISCUSSION

Norman Regional Hospital. Mr. Richard Stawicki, 2614 South Berry Road, said the headlines in today's Norman Transcript announced that Norman Regional Hospital was laying off 200 employees; however. He said he was not surprised to read that collections were down because unemployment was rising and expressed concerns about the investments made by the hospital. He stressed the importance of City Council paying close attention to the annual budget submitted by the hospital as required by City Charter. He said he felt the hospital buying facilities owned by board members should not be allowed.

Councilmember Kovach said he appreciated Mr. Stawicki's comments. He said he was alarmed when he read the comments in the newspapers. He said a \$15,000,000 loss in expected revenues would indicate that some risky investments are being made. He said Council should take this very seriously.

Councilmember Dillingham said in a city the size of Norman, citizens cannot afford to have a hospital that does not function appropriately, a board that does not obey its fiduciary duties, and a City Council that does not provide oversight as required by the City Charter. She said she is very concerned, with employment becoming difficult at best, that one of the major employers of the City is contributing to unemployment. She said she will continue to monitor this situation.

Councilmember Quinn said he had contacted hospital officials and the number reported for layoffs will be approximately 70 employees. He said although the numbers are less than originally reported, it was still very unfortunate. He said the City Manager had contacted the hospital administrator and was providing information to Council. He said when anyone loses a job in Norman, it reflects poorly on the City. He said Norman is still doing pretty well considering the economic issues and he encouraged citizens to "Shop Norman" to help the economy. He said it was important to support local businesses and if there are medical problems, use the hospital in Norman.

Mayor Rosenthal said the number of layoffs reported by the Norman Transcript was not accurate and there were other health care facilities in the State that were facing similar problems but Norman Regional Hospital was having some unique problems as well. She said there needed to be good communication between the City Council and the hospital board. She said corrective measures to be taken were a very important step that she was committed to as are all members of the Council. She said there have been reassurances that there will be no layoffs of medical or EMSTAT personnel and that it was her understanding that in the next few days notices would be going out to employees explaining the situation.

*

Special Events Ordinance. Councilmember Dillingham said the special events ordinance was one of the best examples of people from all over Norman spending 20 to 30 hours of time to discuss differences with everyone working toward a single goal of making Norman a better place for festivals. She said she was very proud of citizens and the people in charge of these events taking this time because the result is something that is very important in terms of moving Norman forward as the "City of Festivals."

*

Speed Humps on Wildwood Lane. Councilmember Griffith thanked Public Works Staff for addressing an issue regarding motorists driving around a speed hump on Wildwood Lane causing damage to his constituent's yard. He said Staff not only placed a sign in the yard, but took the time to cover up the ruts in the yard and his constituent had expressed his appreciation.

*

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.

* * * * *

Councilmember Cubberley asked that he be allowed to abstain from voting on Item 36 due to a conflict of interest. Thereupon, Councilmember Quinn moved that Councilmember Cubberley be allowed to abstain from voting on Item 36 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Cubberley to abstain from voting on Item 36 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Cubberley

The Mayor declared the motion carried and Councilmember Cubberley was allowed to abstain from voting on Item 36 due to a conflict of interest.

* * * * *

Item 36, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(4) IN ORDER TO DISCUSS CHARLES ATKINSON, ET AL, VS. THE CITY OF NORMAN, FILED IN CLEVELAND COUNTY DISTRICT COURT, CASE NO. CJ-2005-748 W.

Councilmember Quinn moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to discuss Charles Atkinson, et al, vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2005-748 W, which motion was duly seconded by Councilmember Griffith; and the question being upon adjourning out of the City Council meeting and convening into an Executive Session in order to discuss Charles Atkinson, et al, vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2005-748 W, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Cubberley

The Mayor declared the motion carried and the City Council meeting adjourned out of; and an Executive Session was convened into in order to discuss Charles Atkinson, et al, vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2005-748 W.

The City Council adjourned into Executive Session at 8:53 p.m. Mr. Paul Lefebvre, outside legal counsel representing the City of Norman; Mr. Jeff Bryant, City Attorney; Mr. Blaine Nice, Assistant City Attorney, and Mr. Steve Lewis, City Manager, were in attendance at the Executive Session.

Thereupon, Councilmember Kovach moved that Executive Session be adjourned out of and the Council meeting be reconvened, which motion was duly seconded by Councilmember Butler; and the question being upon adjourning out of Executive Session and upon the subsequent reconvening, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Cubberley

Item 36, continued:

The Mayor declared the motion carried and Executive Session adjourned out of; and the Council meeting was reconvened at 9:30 p.m.

The Mayor said Charles Atkinson, et al, vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2005-748 W, was discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 9:33 p.m.

ATTEST:

City Clerk

Mayor