

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

March 31, 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 31st day of March, 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 Lincoln Elementary School.

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Item 3, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM LINCOLN ELEMENTARY SCHOOL.

Mayor Rosenthal and Councilmember Dillingham presented Citizenship Awards to students Zoe Kobriger, Alyssa Wiley, Tristan Florence, Belle Flores, Brody Corbett, Tessa Bowen, Jake Baer, Xander Tindell, Emma Rose, and Cameron Berry. Ms. Kathy Crabtree, Principal of Lincoln Elementary School, said the students were selected as representatives of good citizens of Lincoln Elementary School.

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Item 4, being:

SPECIAL RECOGNITION BY MAYOR CINDY ROSENTHAL OF TWENTY-TWO (22) HEALTHY BUSINESSES SELECTED BY THE HEALTHY COMMUNITY COALITION FOR 2008.

SYSCO Food Services of Oklahoma	Nextep
Center for Children and Families	Norman Regional Health System
Lifecare Oklahoma Home Health Hospice Personal Services	Meals on Wheels
Rely on Rehab	Cleveland County Health Department (Norman)
Moore-Norman Technology Center	Oklahoma Electric Cooperative
Astellas Pharma Technologies	Norman Public Schools
Immuno-Mycologies (IMMY)	Ross Healthcare
City of Norman	Cleveland County Family YMCA
Vernon L. Smith and Associates, Inc.	American Red Cross Heart of Oklahoma Chapter
Republic Bank and Trust	RiskMetrics Group
Hitachi Computer Products	Central Oklahoma Community Mental Health

Mayor Rosenthal said the Oklahoma Certified Healthy Businesses Program seeks to recognize businesses that are working to improve Oklahoma's health status by providing health and wellness opportunities for their employees. She said twenty-two Norman businesses are being recognized this evening that had met the standards of the Healthy Business Initiative and had qualified as Certified Healthy Businesses.

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Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 40 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 6 through Item 40, 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 6 through Item 40 were placed on the consent docket by unanimous vote.

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Item 6, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

- CITY COUNCIL BUDGET RETREAT MINUTES OF MARCH 3, 2009
- CITY COUNCIL CONFERENCE MINUTES OF MARCH 10, 2009
- CITY COUNCIL SPECIAL SESSION MINUTES OF MARCH 10, 2009
- CITY COUNCIL MINUTES OF MARCH 10, 2009
- NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 10, 2009
- NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 10, 2009
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 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 Budget Retreat minutes of March 3, 2009
2. City Council Conference minutes of March 10, 2009
3. City Council Special Session minutes of March 10, 2009
4. City Council minutes of March 10, 2009
5. Norman Utilities Authority minutes of March 10, 2009
6. Norman Municipal Authority minutes of March 10, 2009
7. Norman Tax Increment Finance Authority minutes of March 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, 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 7, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF FEBRUARY 28, 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 February 28, 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, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 8, being:

SUBMISSION OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF FEBRUARY, 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 February, 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, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 9, being:

SUBMISSION OF THE PUBLIC ARTS BOARD ANNUAL REPORT.

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. Annual Report of the Norman Public Arts Board dated March, 2009

Participants in discussion

- 1. Mr. Larry Walker, Chairman of the Public Arts Board

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, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 10, being:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-0809-58 FROM ETC INSTITUTE, INC., TO CONDUCT A CITIZEN SURVEY FOR THE CITY OF NORMAN AND APPROVAL OF CONTRACT NO. K-0809-129.

Councilmember Kovach moved that Request for Proposal No. RFP-0809-58 from ETC Institute, Inc., to conduct a citizen survey for the City of Norman be accepted, Contract No. K-0809-129 in an amount not-to-exceed \$30,490 be approved, and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 9, 2009, from Steve Lewis, City Manager, to the Honorable Mayor and Council
- 2. Request for Proposal for consulting services to design, administer, and evaluate a citizen survey
- 3. Contract No. K-0809-129
- 4. Purchase Requisition No. 0000154571 dated March 23, 2009, in the amount of \$30,490 to ETC Institute, Inc.

Participants in discussion

- 1. Mr. Steve Lewis, City Manager

and the question being upon accepting Request for Proposal No. RFP-0809-58 from ETC Institute, Inc., to conduct a citizen survey for the City of Norman and upon the subsequent approval and authorization, 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 Request for Proposal No. RFP-0809-58 ETC Institute, Inc., to conduct a citizen survey for the City of Norman accepted; Contract No. K-0809-129 in amount not-to-exceed \$30,490 was approved and the execution thereof was authorized.

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Item 11, being:

CONSIDERATION OF BID NO. 0809-60; CONTRACT NO. K-0809-124; CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-124 INCREASING THE CONTRACT AMOUNT BY \$27,390 ADDING WOODS AVENUE TO THE PROJECT; PERFORMANCE BOND NO. B-0809-58; STATUTORY BOND NO. B-0809-59; MAINTENANCE BOND NO. MB-0809-52; AND RESOLUTION NO. R-0809-126 FOR THE FYE 2009 JOINT AND CRACK SEALING PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$122,610 be awarded to Keystone Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-124, Change Order No. One to Contract No. K-0809-124 increasing the contract price by \$27,390, and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; execution of the contract be authorized; and adopt Resolution No. R-0809-126, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 18, 2009, from Doug Danner, Bond Projects Manager, to Honorable Mayor and City Councilmembers
2. Bid tabulation dated February 19, 2009, for the FYE 2009 Joint and Crack Seal Project
3. Contract No. K-0809-124
4. Change Order No. One to Contract No. K-0809-124
5. Performance Bond No. B-0809-58
6. Statutory Bond No. B-0809-59
7. Maintenance Bond No. MB-0809-52
8. Resolution No. R-0809-126
9. Purchase Requisition No. 0000154823 dated March 23, 2009, in the amount of \$150,000.00 to Keystone Services, Inc.

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

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$122,610 was awarded to Keystone Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-124, Change Order No. One to Contract No. K-0809-124 increasing the contract price by \$27,390, and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract was authorized; and Resolution No. R-0809-126 was adopted.

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Item 12, being:

CONSIDERATION OF BID NO. 0809-62, CONTRACT NO. K-0809-56, PERFORMANCE BOND NO. B-0809-51, STATUTORY BOND NO. B-0809-52, AND MAINTENANCE BOND NO. MB-0809-48 FOR THE WELL HOUSE AND WATER LINE CONSTRUCTION IN CONNECTION WITH THE WELL FIELD DEVELOPMENT PROJECT, PHASE I, AND ADOPTION OF RESOLUTION NO. R-0809-135.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$568,260 be awarded to Howard Construction, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-56 and the performance, statutory, and maintenance bonds be approved; filing of the bonds be directed; execution of the contract be authorized; and Resolution No. R-0809-135 be adopted, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated February 19, 2009, from Jim Speck, Capital Projects Engineer, to Norman Utilities Authority
2. Letter of recommendation dated February 25, 2009, from Richard M. Grotte, P.E., Project Manager, Poe and Associates, Inc., to Norman Utilities Authority
3. Bid tabulation dated February 19, 2009, for well house and waterline construction
4. Contract No. K-0809-56
5. Performance Bond No. B-0809-51
6. Statutory Bond No. B-0809-52
7. Maintenance Bond No. MB-0809-48
8. Resolution No. R-0809-135
9. Location map
10. Purchase Requisition No. 0000154486 dated March 12, 2009, in the amount of \$568,260 to Howard Construction, Inc.

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, directive, authorization, and adoption, 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 all bids meeting specifications accepted; the bid in the amount of \$568,260 was awarded to Howard Construction, Inc. as the lowest and best bidder meeting specifications; Contract No. K-0809-56 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract was authorized; and Resolution No. R-0809-135 was adopted.

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Item 13, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-69 FOR THE PURCHASE OF WATER WELL PUMPS AND MOTORS FOR FOUR NEW WATER WELLS:

1. WELL NO. 46 - PUMP WITH 3,600 RPM MOTOR COMPLETE
ALTERNATE - 1,800 RPM MOTOR COMPLETE
2. WELL NO. 47 - PUMP WITH 3,600 RPM MOTOR COMPLETE
ALTERNATE - 1,800 RPM MOTOR COMPLETE
3. WELL NO. 48 - PUMP WITH 3,600 RPM MOTOR COMPLETE
ALTERNATE - 1,800 RPM MOTOR COMPLETE
4. WELL NO. 49 - PUMP WITH 3,600 RPM MOTOR COMPLETE
ALTERNATE - 1,800 RPM MOTOR COMPLETE

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications on Sections 1, 2, and 4 be accepted and the bid for Section 1 in the amount of \$16,000.40, Section 2 in the amount of \$13,630.47, and Section 4 in the amount of \$14,286.87 be awarded to Pumps of Oklahoma as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Cubberley;

Item 13, continued:

Items submitted for the record

1. Memorandum dated February 26, 2009, from Bryan Hapke, Supervisor, Water Treatment Division, to Norman Utilities Authority
2. Bid tabulation dated February 26, 2009, for water well pumps, motors, and appurtenances

and the question being upon accepting all bids meeting specifications on Sections 1, 2, and 4 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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Sections 1, 2, and 4 accepted; the bids for Section 1 in the amount of \$16,000.40, Section 2 in the amount of \$13,630.47, and Section 4 in the amount of \$14,286.87 was awarded to Pumps of Oklahoma as the lowest and best bidder meeting specifications.

Thereupon, Trustee Kovach moved that all bids meeting specifications on Section 3 be accepted and the bid in the amount of \$34,310 be awarded to Flowserve Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated February 26, 2009, from Bryan Hapke, Supervisor, Water Treatment Division, to Norman Utilities Authority
2. Bid tabulation dated February 26, 2009, for water well pumps, motors, and appurtenances

and the question being upon accepting all bids meeting specifications on Section 3 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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Section 3 accepted; and the bid in the amount of \$34,310 was awarded to Flowserve Corporation as the lowest and best bidder meeting specifications.

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Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-71 FOR THE REPLACEMENT OF THE ROOF AT THE SANITATION DIVISION BUILDING LOCATED AT 1317 DA VINCI STREET AND A BUDGET APPROPRIATION.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$49,990 be awarded to Crawford Roofing as the lowest and best bidder meeting specifications; the Chairman be authorized to sign Contract No. K-0809-130 contingent upon the City Attorney's approval; and \$50,000 be appropriated from the Sanitation Fund Balance (033-0000-253.00-00) to Project No. SA0007, Roof Repair – 1317 DaVinci, Construction (033-9975-432.61-01), which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated March 20, 2009, from Scottie Williams, Utilities Superintendent, to Norman Utilities Authority
2. Bid record dated March 19, 2009, from Roof Repair and Modifications

Item 14, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, and appropriation, 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 all bids meeting specifications accepted; the bid in the amount of \$49,990 was awarded to Crawford Roofing as the lowest and best bidder meeting specifications, the Chairman was authorized to sign Contract No. K-0809-130 contingent upon the City Attorney's approval, and \$50,000 was appropriated from the Sanitation Fund Balance (033-0000-253.00-00) to Project No. SA0007, Roof Repair – 1317 DaVinci, Construction (033-9975-432.61-01).

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Item 15, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF AUDIO AND VISUAL EQUIPMENT FOR THE CITY COUNCIL CHAMBERS AND CONFERENCE ROOM.

Councilmember Kovach moved to approve authorization for the purchase of audio and visual equipment from Cory's Audio Visual Services, Inc., in the amount of \$44,078, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 15, 2009, from Brenda Hall, City Clerk, to the Honorable Mayor and City Council
2. Quote dated March 9, 2009, from Cory's Audio-Visual Services, Inc., in the amount of \$44,078 for audio and visual equipment
3. Purchase Requisition No. 0000154561 dated March 16, 2009, in the amount of \$44,078 to Cory's Audio-Visual Services, Inc.

Participants in discussion

1. Ms. Brenda Hall, City Clerk
2. Ms. Sylvia Martin, Post Office Box 430, asked questions

and the question being upon approving authorization for the purchase of audio and visual equipment from Cory's Audio Visual Services, Inc., in the amount of \$44,078, 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 authorization for the purchase of audio and visual equipment from Cory's Audio Visual Services, Inc., in the amount of \$44,078 was approved.

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Item 16, being:

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

<u>ODEQ PERMIT NO.</u>	<u>LOCATION</u>
SL-000014090120	LIFT STATION D FORCE MAIN REHABILITATION PROJECT GENERALLY LOCATED ON 12TH AVENUE N.E. BETWEEN ROCK CREEK ROAD AND TECUMSEH ROAD

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

Items submitted for the record

1. Memorandum dated March 4, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Letter of transmittal dated February 18, 2009, from Eddie Rhandour, Construction Permit Section, Water Quality Division, State of Oklahoma Department of Environmental Quality, to Mr. Mark Daniels, Utilities Engineer
3. State of Oklahoma Department of Environmental Quality Permit No. SL000014090120 dated February 18, 2009, Sewer Lines, S-20616

and the question being upon acknowledging receipt of the permit 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 receipt of the permit acknowledged; and the filing thereof was directed.

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Item 17, being:

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

<u>BOND</u>	<u>IMPROVEMENTS</u>	<u>CASH SURETY</u>	<u>SUBDIVISION</u>
B-0203-12	FOUR YEAR VEGETATIVE COVER	IRREVOCABLE LETTER OF CREDIT NO. AHM-3572-46 (\$1,200)	EAST RIDGE ADDITION, SECTION 17
B-0203-24	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 93050 (\$1,800)	ROYAL OAKS ADDITION, SECTION 7
B-0203-25	FOUR YEAR VEGETATIVE COVER	IRREVOCABLE LETTER OF CREDIT NO. AHM-3479-49 (\$1,800)	ROYAL OAKS ADDITION, SECTION 7
B-0304-88	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 101076 (\$1,400)	ROYAL OAKS ADDITION, SECTION 8
B-0304-89	FOUR YEAR VEGETATIVE COVER	IRREVOCABLE LETTER OF CREDIT NO. AHM-3479-70 (\$1,400)	ROYAL OAKS ADDITION, SECTION 8
B-0405-64	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 103862 (\$1,400)	ROYAL OAKS ADDITION, SECTION 9
B-0405-73	SIX MONTH VEGETATIVE COVER	CASHIER'S CHECK NO. 193311 (\$1,800)	ST. JAMES PARK ADDITION, SECTIONS 3 AND 4
B-0405-74	FOUR YEAR VEGETATIVE COVER	IRREVOCABLE LETTER OF CREDIT NO. 99436 (\$1,800)	ST. JAMES PARK ADDITION, SECTIONS 3 AND 4
B-0506-61	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 676858 (\$1,100)	ROYAL OAKS ADDITION, SECTION 10
B-0506-79	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 679274 (\$1,200)	TRAILWOODS ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT
B-0506-111	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 681189 (\$1,200)	EAST RIDGE ADDITION, SECTION 21
B-0708-15	SIX MONTH VEGETATIVE COVER	CERTIFICATE OF DEPOSIT NO. 734228 (\$1,400)	PARK HILL ADDITION, A PLANNED UNIT DEVELOPMENT
B-0708-61	SIDEWALKS	CHECK NO. 2179 (\$4,383,72)	BROOKHAVEN DAYCARE ADDITION

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

Item 17, continued:

Items submitted for the record

1. Memorandum dated March 11, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map for East Ridge Addition, Section 17
3. Subdivision Bond No. B-0203-12
4. Irrevocable Letter of Credit No. AHM 3572-46 dated June 18, 2002, in the amount of \$1,200
5. Development Committee Action dated July 16, 2002
6. Location map for Royal Oaks Addition, Section 7
7. Subdivision Bond No. B-0203-24
8. Certificate of Deposit No. 93050 in the amount of \$1,800
9. Subdivision Bond No. B-0203-25
10. Irrevocable Letter of Credit No. AHM 3479-49 dated June 21, 2006, in the amount of \$1,800
11. Development Committee Action dated September 10, 2002
12. Location map for Royal Oaks Addition, Section 8
13. Subdivision Bond No. B-0304-88
14. Certificate of Deposit No. 101076 dated January 30, 2004, in the amount of \$1,000
15. Subdivision Bond No. B-0304-89
16. Irrevocable Letter of Credit No. AHM-3479-70 dated January 26, 2004, in the amount of \$1,400
17. Development Committee Action dated March 15, 2004
18. Location map for Royal Oaks Addition, Section 9
19. Subdivision Bond No. B-0405-64
20. Certificate of Deposit No. 103862 dated September 27, 2005, in the amount of \$1,000
21. Development Committee Action dated June 21, 2005
22. Letter of request dated December 30, 2008, from Zack Roach, Director of Development, to Mr. Ken Danner, Development Coordinator
23. Location map for St. James Park Addition, Section 3
24. Subdivision Bond No. B-0405-73
25. Cashier's Check No. 1933 dated February 7, 2005, in the amount of \$1,800
26. Location map for St. James Park Addition, Section 4
27. Subdivision Bond No. B-0405-74
28. Irrevocable Standby Letter of Credit No. 99436 dated January 27, 2005, in the amount of \$1,800
29. Letter of request dated February 4, 2009, from Susan Miller, Office Manager, St. James Park, L.L.C., to Ken Danner, City of Norman
30. Location map for Royal Oaks Addition, Section 10, a Planned Unit Development
31. Subdivision Bond No. B-0506-61
32. Certificate of Time Deposit No. 676858 dated August 3, 2005, in the amount of \$1,100
33. Development Committee Action dated October 3, 2005
34. Location map for Trailwoods Addition, a Planned Unit Development
35. Subdivision Bond No. B-0506-79
36. Certificate of Deposit No. 679274 dated September 29, 2005, in the amount of \$1,200
37. Development Committee Action dated November 15, 2005
38. Location map for East Ridge Addition, Section 21
39. Subdivision Bond No. B-0506-111
40. Certificate of Time Deposit No. 681189 dated November 14, 2005, in the amount of \$1,200
41. Development Committee Action dated February 7, 2006
42. Location map for Park Hill Addition, a Planned Unit Development
43. Subdivision Bond No. B-0708-15
44. Certificate of Time Deposit No. 734228 dated April 17, 2007, in the amount of \$1,400
45. Development Committee Action dated July 9, 2007
46. Location map for Brookhaven Day Care Addition
47. Subdivision Bond No. B-0708-61
48. Check No. 2179 dated November 27, 2007, in the amount of \$4,383.72
49. Development Committee Action dated November 27, 2007
50. Letter of request received February 10, 2009, from Stephen Chu, CKLC, L.L.C., to Ken Danner, Development Coordinator

Item 17, continued:

and the question being upon approving the release of the owners' obligations secured by the subdivision bonds 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 release of the owners' obligations secured by the subdivision bonds approved; and the return of the cash sureties to the owners was directed.

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Item 18, being:

CONSIDERATION OF AN AMENDMENT TO THE CONDITIONS OF EASEMENT NO. E-0607-3 TO ALLOW PAYMENT TO HIGHLAND PARK HOMEOWNERS ASSOCIATION IN THE AMOUNT OF \$3,820 FOR DAMAGES TO THE PROPERTY IN CONNECTION WITH THE LINDSEY STREET WIDENING PROJECT, OAKHURST AVENUE TO 24TH AVENUE S.E., AND BUDGET APPROPRIATION.

Councilmember Kovach moved to approve an amendment to the conditions of Easement No. E-0607-3 to allow payment to Highland Park Homeowners Association in the amount of \$3,820, payment in the amount of \$3,820 be directed to Highland Park Homeowners Association, and \$3,820 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0014, Lindsey/Oakhurst, Construction, (050-9311-431.61-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 5, 2009, from Lonnie Ferguson, to the Honorable Mayor and Councilmembers
2. Temporary Easement No. E-0607-3
3. Location map
4. Pertinent excerpts from City Council minutes of July 11, 2006
5. Purchase Requisition No. 0000154710 dated March 18, 2009, in the amount of \$3,820 to Highland Park Homeowners

and the question being upon approving an amendment to the conditions of Easement No. E-0607-3 to allow payment to Highland Park Homeowners Association in the amount of \$3,820 and upon the subsequent directive and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and an amendment to the conditions of Easement No. E-0607-3 to allow payment to Highland Park Homeowners Association in the amount of \$3,820 approved; payment in the amount of \$3,820 to Highland Park Homeowners Association was directed and \$3,820 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0014, Lindsey/Oakhurst, Construction, (050-9311-431.61-01).

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Item 19, being:

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

<u>EASEMENT NOS. – PARCEL NOS.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>	<u>COST</u>
E-0809-84 PARCEL 19	ADBAR, L.L.C.	PERMANENT ROADWAY, DRAINAGE, AND UTILITY	\$ 35,950
WARRANTY DEED PARCEL 20	TRIPLE S REFINING CORPORATION, A SUBSIDIARY OF TRONOX WORLDWIDE, L.L.C., PREDECESSOR IN INTEREST - KERR MCGEE REFINING CORPORATION		\$205,000*

* plus property taxes estimated to be \$150

Councilmember Kovach moved that the easement and the conveyance of title by warranty deed be accepted; the execution and payment of the easement for Parcel 19 and the warranty deed and property taxes for Parcel 20 be authorized; and the filing of the easement and warranty deed with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 7, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Easement No. E-0809-84
3. Location map

and the question being upon accepting the easement and the conveyance of title by warranty deed and upon the subsequent authorizations and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the easement and the conveyance of title by warranty deed accepted; the execution and payment of the easement for Parcel 19 and the warranty deed and property taxes for Parcel 20 were directed; and the filing of the easement and warranty deed with the Cleveland County Clerk was directed.

* * * * *

Item 20, being:

CONSIDERATION OF A FINAL PLAT FOR CARRINGTON PLACE ADDITION, SECTION 8, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF STREET PAVING FOR FRANKLIN ROAD AND SIDEWALK IMPROVEMENTS ADJACENT TO FRANKLIN ROAD.

Councilmember Kovach moved that the final plat and the deferral of street paving for West Franklin Road and sidewalk improvements adjacent to West Franklin Road 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 receipt of \$83,653.10 for deferral of street and sidewalk improvements for West Franklin Road within ten days after approval, the City Development Committee’s acceptance of all remaining required public improvements, and receipt of a warranty deed for park land dedication; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Item 20, continued:

Items submitted for the record

1. Memorandum dated March 9, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Final plat
5. Staff report dated April 12, 2007, recommending approval
6. Pertinent excerpts from Board of Parks Commissioners minutes of March 2, 2006
7. Pertinent excerpts from Planning Commission minutes of April 12, 2007
8. Letter dated March 17, 2009, from Christopher D. Anderson, P.E., SMC Consulting Engineers, P.C., to Mr. Ken Danner, Development Coordinator
9. Engineer's estimate dated January 5, 2009
10. Supplementary declaration and Declaration of Covenants, Conditions, and Restrictions for Carrington Place, Section 8, a Residential Community to the City of Norman, Cleveland County, Oklahoma, with Exhibit "1," Legal Description, Exhibit "2," Design Review Guidelines for Carrington Place, Section Eight; and Exhibit "3," Application for Design Review for Carrington Place, Section Eight

and the question being upon approving the final plat and the deferral of street paving for West Franklin Road and sidewalk improvements adjacent to West Franklin Road and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the final plat and the deferral of street paving for West Franklin Road and sidewalk improvements adjacent to West Franklin Road 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 receipt of \$83,653.10 for deferral of street and sidewalk improvements for West Franklin Road within ten days after approval, the City Development Committee's acceptance of all remaining required public improvements, and receipt of a warranty deed for park land dedication; and the filing of the final plat was directed.

* * * * *

Item 21, being:

CONSIDERATION OF A FINAL PLAT FOR CARRINGTON PLACE ADDITION, SECTION 9, AND THE ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the 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 plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 9, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Revised preliminary plat
4. Final plat
5. Staff Report dated March 13, 2008, recommending approval
6. Pertinent excerpts from Board of Parks Commissioners minutes of March 2, 2006
7. Pertinent excerpts from Planning Commission minutes of March 13, 2008
8. Supplementary Declaration and Declaration of Covenants, Conditions, and Restrictions for Carrington Place, Section Nine (9), a Residential Community to the City of Norman, Cleveland County, Oklahoma, with Exhibit "1," Legal Description; Exhibit "2," Design Review Guidelines for Carrington Place, Section Nine; and Exhibit "3," Application for Design Review for Carrington Place, Section Nine

Item 21, continued:

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

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

The Mayor declared the motion carried and the 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 plat was directed.

* * * * *

Item 22, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0809-5 FOR LOTS 1, 2, 3, 4, 5, 6, AND 7, BLOCK 1, ARBOR LAKES ADDITION, SECTION 4. (4820, 4900, 4904, 4908, 4912, 5000, AND 5004 KATHY LYNN DRIVE)

Councilmember Kovach moved that Consent to Encroachment No. 0809-5 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 27, 2009, from Leah K. Bunney, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Consent to Encroachment No. 0809-5
3. Location map
4. Letter of request filed February 16, 2009, from Kevin Hopper; Scott Humphreys; Lance Burcham; Wanda Knight; Kaiser Aziz, Gemini Development Corporation; Chris Moxley; and Jason Andes
5. Memorandum dated February 16, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Kosciński, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
6. Memorandum dated March 9, 2009, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated March 16, 2009, from Doug Kosciński, AICP, Manager of Current Planning, to Brenda Hall, City Clerk
8. Memorandum dated March 17, 2009, from Ken Danner, Development Coordinator, to Blaine Nice, Assistant City Attorney
9. Letter dated February 9, 2009, from Terri Hayes, Manager – OSP Planning and Engineering Design, Norman/Noble Wire Centers, AT&T, to Whom It May Concern
10. Letter dated February 4, 2009, from Shannon Davis, South Metro Area Supervisor, Oklahoma Natural Gas, to Skye Heinz, Arbor Lake of Norman Home Owners Association, Inc.
11. E-mail dated March 19, 2009, from Shannon Davis, Oklahoma Natural Gas, to Ken Danner
12. Letter dated March 20, 2009, from Terry Henderson, Staking Supervisor, Oklahoma Electric Cooperative, to Skye Heinz, Brookfield Custom Homes
13. Letter dated March 19, 2009, from Marshall Birchett, Right-of-Way Agent, Cox Communications, Inc., to Ken Danner, Planning and Community Development

and the question being upon approving Consent to Encroachment No. 0809-5 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 Consent to Encroachment No. 0809-5 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 23, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0809-6 FOR LOT 7, BLOCK 1, CARRINGTON ADDITION. (3808 CANONBURY ROAD)

Councilmember Kovach moved that Consent to Encroachment No. 0809-6 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated February 27, 2009, from Leah K. Bunney, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Consent to Encroachment No. 0809-6
3. Location map
4. Site plan
5. Memorandum dated February 19, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Kosciński, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
6. Memorandum dated March 5, 2009, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated March 16, 2009, from Doug Kosciński, AICP, Manager of Current Planning, to Brenda Hall, City Clerk
8. Memorandum dated March 17, 2009, from Ken Danner, Development Coordinator, to Blaine Nice, Assistant City Attorney
9. Letter of request dated February 17, 2009, from Robert S. Luper, Landscape Designer, Land Creations, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. 0809-6 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 Consent to Encroachment No. 0809-6 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 24, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$5,000 FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS TO BE USED BY THE NORMAN OFFICE OF EMERGENCY MANAGEMENT TO PROVIDE PUBLIC OUTREACH AND EDUCATION DURING THE ANNUAL MEDIEVAL FAIR BEING HELD APRIL 3 THROUGH 5, 2009.

Councilmember Kovach moved that a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide public outreach and education during the annual Medieval Fair being held April 3 through 5, 2009, be accepted; Other Revenue/Emergency Management Grant (022-0000-331.13-60) be increased by \$5,000; and \$5,000 be appropriated to Project No. GF0061, MR CORPS – NACCHO Grant, Supplies/Materials – Miscellaneous (022-9508-422.31-99), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 11, 2009, from James Fullingim, Fire Chief, to Honorable Mayor and Council

Item 24, continued:

and the question being upon accepting a grant in the amount of \$5000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide public outreach and education during the annual Medieval Fair being held April 3 through 5, 2009, and upon the subsequent increase and appropriation, 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 a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide public outreach and education during the annual Medieval Fair being held April 3 through 5, 2009, accepted; Other Revenue/Emergency Management Grant (022-0000-331.13-60) was increased by \$5,000 and \$5,000 was appropriated to Project No. GF0061, MR CORPS – NACCHO Grant, Supplies/Materials – Miscellaneous (022-9508-422.31-99).

* * * * *

Item 25, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$1,000 FROM THE JOHN SNOW RESEARCH AND TRAINING INSTITUTE TO BE USED BY THE NORMAN OFFICE OF EMERGENCY MANAGEMENT TO CONDUCT OUTREACH DURING NATIONAL WOMEN’S HEALTH WEEK.

Councilmember Kovach moved that a grant in the amount of \$1,000 from the John Snow Research and Training Institute to be used by the Norman Office of Emergency Management to provide public outreach during National Women’s Health Week be accepted; Other Revenue/Emergency Management Grant (022-0000-331.13-60) be increased by \$1,000; and \$1,000 be appropriated to Project No. GF0060, MR CORPS – Health Week Grant, with \$500 to Other Supplies/Materials – Miscellaneous (022-9508-422.31-99) and \$500 Consultant/Other (022-9508-422.40-09), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 12, 2009, from James Fullingim, Fire Chief, to Honorable Mayor and Council
2. E-mail dated February 12, 2009, from John Snow, Inc., to David Grizzle

and the question being upon accepting a grant in the amount of \$1000 from the John Snow Research and Training Institute to be used by the Norman Office of Emergency Management to provide public outreach during Nation Women’s Health Week and upon the subsequent increase and appropriation, 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 a grant in the amount of \$5,000 from the John Snow Research and Training Institute to be used by the Norman Office of Emergency Management to provide public outreach National Women’s Health Week was accepted; Other Revenue/Emergency Management Grant (022-0000-331.13-60) was increased by \$1,000 and \$1,000 was appropriated to Project No. GF0060, MR CORPS – Health Week Grant, with \$500 to Other Supplies/Materials – Miscellaneous (022-9508-422.31-99) and \$500 Consultant/Other (022-9508-422.40-09).

* * * * *

Item 26, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS TOTALING \$1,268,536.69 FROM THE OFFICE OF EMERGENCY MANAGEMENT FOR WINTER ICE STORM DAMAGE DURING DECEMBER 2007, AND JANUARY 2008.

Councilmember Kovach moved that reimbursement of funds totaling \$1,268,536.69 from the Office of Emergency Management for winter ice storm damage during December 2007, and January 2008, be accepted and Other Revenue/FEMA Reimbursements (010-0000-334.13-28) be increased by \$1,071,635.71 and Other Revenue/Other Agency (010-0000-366.12-39) by \$196,900.98, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memoranda dated March 19 and 20, 2009, from James Fullingim, Fire Chief, to Honorable Mayor and City Council

Participants in discussion

- 1. Mr. Anthony Francisco, Director of Finance

and the question being upon accepting reimbursement of funds totaling \$1,268,536.69 from the Office of Emergency Management for winter ice storm damage during December 2007, and January 2008, and upon the subsequent increase, 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 reimbursement of funds totaling \$1,268,536.69 from the Office of Emergency Management for winter ice storm damage during December 2007, and January 2008, accepted; and Other Revenue/FEMA Reimbursements (010-0000-334.13-28) was increased by \$1,071,635.71 and Other Revenue/Other Agency (010-0000-366.12-39) by \$196,900.98.

* * * * *

Item 27, being:

LIMITED LICENSE NO. 0809-16: LIMITED LICENSE TO PLACE UP TO SEVEN (7) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE ASSISTANCE LEAGUE OF NORMAN FOR THE MAY FAIR ARTS FESTIVAL TO BE HELD MAY 1 THROUGH 3, 2009.

Councilmember Kovach moved that Limited License No. 0809-16 to place up to seven (7) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman for the May Fair Arts Festival to be held May 1 through 3, 2009, be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 23, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
- 2. Application for Limited License for up to seven ground banners dated March 10, 2009, from the Assistance League of Norman with list of locations of banners
- 3. Limited License No. 0809-16

and the question being upon approving Limited License No. 0809-16 to place up to seven (7) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman for the May Fair Arts Festival to be held May 1 through 3, 2009, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Limited License No. 0809-16 to place up to seven (7) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman for the May Fair Arts Festival to be held May 1 through 3, 2009, approved; and the issuance thereof was authorized.

* * * * *

Item 28, being:

AMENDMENT NO. FOUR TO CONTRACT NO. K-0506-141: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND CARDINAL ENGINEERING, INC., INCREASING THE CONTRACT AMOUNT BY \$184,000 TO PROVIDE FINAL DESIGN AND BIDDING SERVICES FOR THE NORMAN TRANSFER STATION EXPANSION PROJECT AND BUDGET APPROPRIATION.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Amendment No. Four to Contract No. K-0506-141 with Cardinal Engineering, Inc., increasing the contract amount by \$184,000 be approved, the execution thereof be authorized, and \$24,000 be appropriated from the Sanitation Fund Balance (033-0000-253.00-00) to Project No. SA0002, Transfer Station Expansion, Design (033-9975-432.62-01), which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated March 9, 2009, from Jim Speck, Capital Projects Engineer, to Norman Municipal Authority
2. Amendment No. Four to Contract No. K-0506-141 with Attachment A, Scope of Services, Attachment B, Compensation, and Attachment C, Time Schedule for Scope of Services Performance
3. Preliminary Site Plan
4. Purchase Order No. 132495 dated April 28, 2005, in the amount of \$45,500 adding Amendment No. One in the amount of \$29,100; Amendment No. Two in the amount of \$70,900; Amendment No. Three in the amount of \$37,850; and Amendment No. Four in the amount of \$184,000 for a total contract amount of \$367,350 to Cardinal Engineering, Inc.

and the question being upon approving Amendment No. Four to Contract No. K-0506-141 with Cardinal Engineering, Inc., increasing the contract amount by \$184,000 and upon the subsequent authorization and appropriation, 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. Four to Contract No. K-0506-141 with Cardinal Engineering, Inc., increasing the contract amount by \$184,000 approved; the execution thereof was authorized and \$24,000 was appropriated from the Sanitation Fund Balance (033-0000-253.00-00) to Project No. SA0002, Transfer Station Expansion, Design (033-9975-432.62-01).

* * * * *

Item 29, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-0708-58: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND M&M DITCHING, INC., DECREASING THE CONTRACT AMOUNT BY \$31,930.53 FOR THE LITTLE RIVER INTERCEPTOR PROJECT, PHASE II, AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. Two to Contract No. K-0708-58 with M & M Ditching, Inc., decreasing the contract amount by \$31,930.53 and extending the contract 17 calendar days be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$21,300 be directed to M & M Ditching, Inc., which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated March 17, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Change Order No. Two to Contract No. K-0708-58
3. Purchase Order No. 160125 dated May 30, 2008, in the amount of \$1,253,005 adding Change Order No. One in the amount of \$15,485 and subtracting Change Order No. Two in the amount of \$31,930.52 and partial payments totaling \$1,215,259.48 leaving a balance of \$21,300

Item 29, continued:

and the question being upon approving Change Order No. Two to Contract No. K-0708-58 with M & M Ditching, Inc., decreasing the contract amount by \$31,930.53 and extending the contract 17 calendar days and upon the subsequent authorization, acceptance, and directive, 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 Change Order No. Two to Contract No. K-0708-58 with M & M Ditching, Inc., decreasing the contract amount by \$31,930.53 and extending the contract 17 calendar days approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$21,300 to M & M Ditching, Inc., was directed.

* * * * *

Item 30, being:

CONSIDERATION OF THE FOLLOWING AMENDMENTS TO CONTRACTS:

AMENDMENT NO. ONE TO CONTRACT NO. K-0708-138: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND JACK BRIGGS D/B/A J & W MOWING EXTENDING THE CONTRACT UNTIL MARCH 31, 2010, FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE REVITALIZATION DIVISION.

AMENDMENT NO. ONE CONTRACT NO. K-0708-139: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CHARLES GROOMS D/B/A COMPLETE LAWN MAINTENANCE EXTENDING THE CONTRACT UNTIL MARCH 31, 2010, FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE REVITALIZATION DIVISION.

AMENDMENT NO. ONE TO CONTRACT NO. K-0708-140: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DAVID SPAULDING D/B/A A-DEAL SERVICES EXTENDING THE CONTRACT UNTIL MARCH 31, 2010, FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE REVITALIZATION DIVISION.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0708-138 with Jack Briggs d/b/a J & W Mowing extending the contract until March 31, 2010, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 13, 2009, from Linda R. Price, Revitalization Manger, to Honorable Mayor and Councilmembers
2. Contract specifications
3. Amendment No. One to Contract No. K-0708-138

and the question being upon approving Amendment No. One to Contract No. K-0708-138 with Jack Briggs d/b/a J & W Mowing extending the contract until March 31, 2010, and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0708-138 with Jack Briggs d/b/a J & W Mowing extending the contract until March 31, 2010, approved; and the execution thereof was authorized.

Item 30, continued:

Thereupon, Councilmember Kovach moved that Amendment No. One to Contract No. K-0708-139 with Charles Grooms d/b/a Complete Lawn Maintenance extending the contract until March 31, 2010, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 13, 2009, from Linda R. Price, Revitalization Manger, to Honorable Mayor and Councilmembers
2. Contract specifications
3. Amendment No. One to Contract No. K-0708-139

and the question being upon approving Amendment No. One to Contract No. K-0708-139 with Charles Grooms d/b/a Complete Lawn Maintenance extending the contract until March 31, 2010, and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0708-139 with Charles Grooms d/b/a Complete Lawn Maintenance extending the contract until March 31, 2010, approved; and the execution thereof was authorized.

Thereupon, Councilmember Kovach moved that Amendment No. One to Contract No. K-0708-140 with David Spaulding d/b/a A-Deal Services extending the contract until March 31, 2010, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 13, 2009, from Linda R. Price, Revitalization Manger, to Honorable Mayor and Councilmembers
2. Contract specifications
3. Amendment No. One to Contract No. K-0708-140

and the question being upon approving Amendment No. One to Contract No. K-0708-140 with David Spaulding d/b/a A-Deal Services extending the contract until March 31, 2010, and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0708-140 with David Spaulding d/b/a A-Deal Services extending the contract until March 31, 2010, approved; and the execution thereof was authorized.

* * * * *

Item 31, being:

CHANGE ORDER NO. THREE TO CONTRACT NO. K-0809-40: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$139,126 TO ADD THE 2009 CAMPUS CORNER STREETScape/WHITE STREET RECONSTRUCTION PROJECT TO THE FYE 2009 CONCRETE PROJECTS.

Councilmember Kovach moved that Change Order No. Three to Contract No. K-0809-40 with Central Contracting Services, Inc. increasing the contract amount by \$139,126 and extending the contract 84 calendar days be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Item 31, continued:

Items submitted for the record

1. Memorandum dated March 12, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
2. Change Order No. Three to Contract No. K-0809-40
3. Purchase Requisition No. 0000154960 dated March 26, 2009, in the amount of \$139,126 to Central Contracting Services, Inc.

and the question being upon approving Change Order No. Two to Contract No. K-0809-40 with Central Contracting Services, Inc., increasing the contract amount by \$129,126 and extending the contract 84 calendar days and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Change Order No. One to Contract No. K-0809-40 with Central Contracting Services, Inc., increasing the contract amount by \$129,126 approved and extending the contract 84 calendar days; and the execution thereof was authorized.

* * * * *

Item 32, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-105: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$8,600 TO MAKE CHANGES TO THE DRIVE EXITING TINKER FEDERAL CREDIT UNION LOCATED AT 301 36TH AVENUE N.W.; AMENDMENT TO THE CONDITIONS OF EASEMENT NOS. E-0607-61 AND 62 TO ALLOW PAYMENT TO TINKER FEDERAL CREDIT UNION IN THE AMOUNT OF \$4,500 FOR DAMAGES TO A SPRINKLER SYSTEM IN CONNECTION WITH THE 36TH AVENUE WIDENING PROJECT; AND BUDGET TRANSFER.

Councilmember Kovach moved that Change Order No. One to Contract No. K-0809-105 with Nash Construction Company, Inc., increasing the contract amount by \$8,600 and an amendment to the conditions of Easement Nos. E-0607-61 and E-0607-62 to allow payment to TFCU in the amount of \$4,500 be approved; the execution thereof be authorized; payment in the amount of \$4,500 be directed to TFCU; and \$13,100 be transferred from Project No. TR0231, 36th and Quail Intersection Widening, Construction (050-9079-431.61-01) to Project No. TR0229, Main and 36th Intersection Widening (050-9079-431.61-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 4, 2009, from Lonnie Ferguson, Capital Projects Manager, to Honorable Mayor and Councilmembers with Attachment "A," location map
2. Proposal dated March 2, 2009, from U.S. Lawns to Jerry Jackson, Tinker Federal Credit Union in the amount of \$4,500
3. Change Order No. One to Contract No. K-0809-105
4. Cost breakdown dated March 10, 2009, from William K. Nash, Nash Construction Company, to Mr. Lonnie Ferguson, P.E., Capital Projects Engineer
5. Purchase Requisition No. 0000154708 dated March 18, 2009, in the amount of \$8,600 to Nash Construction Company, Inc.
6. Purchase Requisition No. 0000154709 dated March 18, 2009, in the amount of \$4,500 to Tinker Federal Credit Union

Item 32, continued:

and the question being upon approving Change Order No. One to Contract No. K-0809-105 with Nash Construction Company, Inc., increasing the contract amount by \$8,600 and an amendment to the conditions of Easement Nos. E-0607-61 and E-0607-62 to allow payment to TFCU in the amount of \$4,500 and upon the subsequent authorization, directive, and transfer, 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 Change Order No. One to Contract No. K-0809-105 with Nash Construction Company, Inc., increasing the contract amount by \$8,600 and an amendment to the conditions of Easement Nos. E-0607-61 and E-0607-62 to allow payment to TFCU in the amount of \$4,500 approved; the execution thereof was authorized, payment in the amount of \$4,500 was directed to TFCU, and \$13,100 was transferred from Project No. TR0231, 36th and Quail Intersection Widening, Construction (050-9079-431.61-01) to Project No. TR0229, Main and 36th Intersection Widening (050-9079-431.61-01).

* * * * *

Item 33, being:

CONTRACT NO. K-0809-127: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. IMY-0035-2(307)111MS, STATE JOB NO. 25922(04), FOR A RIGHT-OF-WAY, UTILITY, AND ENCROACHMENT AGREEMENT FOR THE ROCK CREEK ROAD OVERPASS AT INTERSTATE 35 AND ADOPTION OF RESOLUTION NO. R-0809-130.

Councilmember Kovach moved that Contract No. K-0809-127 with the Oklahoma Department of Transportation be approved, Resolution No. R-0809-130 be adopted, and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 7, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Contract No. K-0809-127
3. Resolution No. R-0809-130

and the question being upon approving Contract No. K-0809-127 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-127 with the Oklahoma Department of Transportation approved; Resolution No. R-0809-130 was adopted and the execution of the contract and resolution was authorized.

* * * * *

Item 34, being:

CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF DOMERICA, L.L.C., D/B/A SUNNY SIDE UP RESTAURANT AND THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2009-574BH, AND VUONG, ET AL D/B/A LIQUORS DU MONDE, AND THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2009-573L IN THE AMOUNT OF \$970,000.

Councilmember Kovach moved that the City Attorney's recommendation be approved and the City Attorney's Office be authorized to effectuate the settlement, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 13, 2009, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers

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

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

The Mayor declared the motion carried and the City Attorney's recommendation approved; and the City Attorney's Office was authorized to effectuate the settlement.

* * * * *

Item 35, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER REGARDING ALLEN SHELTON VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2008-12370F.

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

Items submitted for the record

1. Memorandum dated March 24, 2009, from R. Blaine Nice and Rebecca R. Frazier, Assistant City Attorneys, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. WCC 2008-12370 F filed March 18, 2009
3. Purchase Requisition No. 0000154731 dated March 19, 2009, in the amount of \$8,901.20 to Allen Shelton and John R. Colbert
4. Purchase Requisition No. 0000154732 dated March 19, 2009, in the amount of \$178.02 to Workers' Compensation Administration Fund
5. Purchase Requisition No. 0000154733 dated March 19, 2009, in the amount of \$66.76 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000154734 dated March 19, 2009, in the amount of \$75 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000154735 dated March 19, 2009, in the amount of \$119.30 to Cleveland County Court Clerk

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

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

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

* * * * *

Item 36, being:

RESOLUTION NO. R-0809-132: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$480,000 FROM THE GENERAL FUND BALANCE TO PURCHASE TWELVE (12) NEW POLICE VEHICLES FUNDED THROUGH THE PUBLIC SAFETY SALES TAX.

Councilmember Kovach moved that Resolution No. R-0809-132 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 17, 2009, from Phil Cotten, Chief of Police, to the Honorable Mayor and City Council
- 2. Resolution No. R-0809-132

and the question being upon adopting Resolution No. R-0809-132, 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-0809-132 was adopted.

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Item 37, being:

RESOLUTION NO. R-0809-136: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$13,397 FROM THE PARK LAND DEVELOPMENT FUND BALANCE TO BE USED FOR IMPROVEMENTS AT SUNRISE, KEVIN GOTTSALL, WALNUT RIDGE, AND EASTWOOD PARKS.

Councilmember Kovach moved that Resolution No. R-0809-136 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 12, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0809-136

and the question being upon adopting Resolution No. R-0809-136, 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-0809-136 was adopted.

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Item 38, being:

RESOLUTION NO. R-0809-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE REVISED NORMAN BIKE ROUTE MAP RECOMMENDED BY THE NORMAN BICYCLE ADVISORY COMMITTEE.

Councilmember Kovach moved that Resolution No. R-0809-137 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 12, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Resolution No. R-0809-137
3. Revised bike route map
4. Bicycle Advisory Committee minutes of April 14, October 13, and December 8, 2008, and January 12 and February 9, 2009
5. Pertinent excerpts of Transportation Committee Meeting minutes of March 22 and May 24, 2007, and September 25, 2008
6. Pertinent excerpts from City Council Conference minutes of September 12 and December 9, 2008

Participants in discussion

1. Mr. James Briggs, Park Planner

and the question being upon adopting Resolution No. R-0809-137, 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-0809-137 was adopted.

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Item 39, being:

PROCLAMATION NO. P-0809-18: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 13 THROUGH 17, 2009, AS NATIONAL TELECOMMUNICATORS WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-18 proclaiming the week of April 13 through 17, 2009, as National Telecommunicators Week 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-0809-18

Participants in discussion

1. Mr. Lance Terry, Communications Center Supervisor, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-18 proclaiming the week of April 13 through 17, 2009, as National Telecommunicators Week 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-0809-18 proclaiming the week of April 13 through 17, 2009, as National Telecommunicators Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 40, being:

PROCLAMATION NO. P-0809-19: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 6 THROUGH 10, 2009, AS NATIONAL TECHNICAL HONOR SOCIETY WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-19 proclaiming the week of April 6 through 10, 2009, as National Technical Honor Society Week 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-0809-19

Participants in discussion

1. Mr. Johnny Roberts, Instructor for Automobile Service Technicians, Moore-Norman Technology Center, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-19 proclaiming the week of April 6 through 10, 2009, as National Technical Honor Society Week 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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-0809-19 proclaiming the week of April 6 through 10, 2009, as National Technical Honor Society Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 41, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR HAMES ADDITION AND WAIVER OF ALLEY REQUIREMENTS.

Councilmember Kovach moved that the preliminary plat and waiver of alley requirements for Hames Addition be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 12, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Site plan
4. Preliminary plat
5. Staff Report dated January 8, 2009, recommending approval
6. Letter requesting alley waiver dated December 8, 2008, from J.W. Dansby, P.E., Civil Engineer, Dansby Engineering, P.L.C., to Mr. Ken Danner, Development Coordinator
7. Norman Predevelopment Summary dated October 23, 2008
8. Pertinent excerpts from Planning Commission minutes of January 8, 2009

Participants in discussion

1. Mr. J.W. Dansby, 2202 Westpark Drive, Suite B, engineer representing the applicant

and the question being upon approving the preliminary plat and waiver of alley requirements for Hames Addition, 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 and waiver of alley requirements for Hames Addition was approved.

* * * * *

Item 42, being:

ORDINANCE NO. O-0809-35: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 19-314 AND 19-602(C) OF CHAPTER 19 OF THE CODE OF THE CITY OF NORMAN SO AS TO REDUCE THE AMOUNT OF SURETY REQUIRED FOR CONCURRENT CONSTRUCTION TO ONE HUNDRED TWENTY-FIVE PERCENT (125%) AND CORRECT PROCEDURAL AND GRAMMATICAL ERRORS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0809-35 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 31, 2009, Councilmember Ezzell moved that Ordinance No. O-0809-35 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated February 24, 2009, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Memorandum dated January 26, 2008, from Bob Hanger, City Engineer, and Ken Danner, Development Coordinator, to Mayor and Councilmembers
3. Ordinance No. O-0809-35
4. Legislatively notated copy of Ordinance No. O-0809-35

Participants in discussion

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

and the question being upon adopting Ordinance No. O-0809-35 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-0809-35 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-35 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-0809-35 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
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-0809-35 was adopted upon Final Reading as a whole.

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MISCELLANEOUS DISCUSSION

Commercial Development in Little Axe Area. Mr. Murdock Miller, 2600 180th Avenue S.E., presented a petition to Council from residents of the Little Axe Area, requesting commercial zoning in the Little Axe Community. He said many banks and businesses are eager to build in the Little Axe area, but zoning restrictions and residential covenants are hindering residential development. He said property is available for sale but current laws prohibit commercial and multi-unit buildings such as mini malls. He said interest has been expressed in building a retail shopping area on Highway 9 next to the Sonic Drive-In, but zoning only allows one dwelling per 10-acre tract. He said the petition requested that zoning laws be changed which hindered commercial development 250 yards on both sides of East Highway Nine from 156th East to 192nd excluding land owned by the Absentee Shawnee Tribe. He said citizens were only requesting change to the small area that was not owned by the Absentee Shawnee Tribe. He said this would create more jobs and more businesses in east Norman. Mr. Murdock submitted a speed study and a speed transition study conducted by the Oklahoma Department of Transportation for the area.

Miscellaneous Discussion, continued:

Commercial Development in Little Axe Area, continued:

Mayor Rosenthal suggested that Mr. Miller meet with Susan Connors, Planning Director, to discuss the matter further and said the City Council Planning and Community Development Committee might need to look at the growth in the area as well.

Councilmember Butler said Mr. Murdock was the Manager of the Sonic Drive In on Highway Nine and 180th Avenue S.E. and also served as President of the Little Axe Chamber of Commerce. She said many east side residents support more business in this area. The new health clinic west of the Sonic Drive In would be built soon and Country Boy IGA east of the Norman City limits gets a tremendous amount of business. She said there is a demand for services in the area and it is important to support the citizens and allow basic services.

Items submitted for the record

1. Petition containing 202 signatures from citizens from the Little Axe area requesting commercial zoning in the area
2. Oklahoma Department of Transportation Traffic Engineering Division Speed Study Request dated February 4, 2009, for Highway Nine in the area of the speed transition to 65 miles per hour and also around the Thunderbird Casino
3. Speed Transition Studies for seven different areas of Highway Nine dated February 4, 2009, by Traffic Engineering Division, Collision Analysis and Safety Branch, Oklahoma Department of Transportation
4. Location map

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Stormwater Master Plan. Councilmember Kovach urged citizens to attend the public meeting on Monday, April 6, 2009, at City Hall to discuss the Stormwater Master Plan.

Mayor Rosenthal said copies of the report were available for review at the Norman Public Library, Public Works Department, City Clerk's Office, and the Chamber of Commerce. She said this was a very important public meeting to address drainage and water quality issues.

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Item 44, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE § 307(B)(3) TO DISCUSS THE POSSIBLE PURCHASE OF REAL PROPERTY FOR LIBRARY PURPOSES AND TITLE 25 § 307(B)(4) IN ORDER TO DISCUSS SETTLEMENT OF LAURA GARDNER-BOWMAN VS. THE CITY OF NORMAN, FILED IN CLEVELAND COUNTY DISTRICT COURT, CASE NO. CJ-2008-2004L; WORKERS' COMPENSATION CASES, WCC 2006-12561 AND WCC 2007-05443A; FRATERNAL ORDER OF POLICE, LODGE NO. 122 VS. THE CITY OF NORMAN, GRIEVANCE FMCS NO. 071205-51886-8; AND SETTLEMENT OF EARL PAGE IN WORKERS' COMPENSATION COURT CASE NO. WCC-2006-00030A.

Councilmember Kovach moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to discuss the possible purchase of real property for library purposes and settlement of Laura Gardner-Bowman vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2008-2004L; Workers' Compensation Cases, WCC 2006-12561 and WCC 2007-05443A; Fraternal Order of Police, Lodge No. 122 vs. the City of Norman, Grievance FMCS No. 071205-51886-8; and settlement of Earl Page in Workers' Compensation Court Case No. WCC-2006-00030A, which motion was duly seconded by Councilmember Quinn; and the question being upon adjourning out of the City Council meeting and upon the subsequent convening, a vote was taken with the following result:

Item 44, continued:

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 City Council meeting adjourned out of; and an Executive Session was convened into in order to discuss the possible purchase of real property for library purposes and settlement of Laura Gardner-Bowman vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2008-2004L; Workers' Compensation Cases, WCC 2006-12561 and WCC 2007-05443A; Fraternal Order of Police, Lodge No. 122 vs. the City of Norman, Grievance FMCS No. 071205-51886-8; and settlement of Earl Page in Workers' Compensation Court Case No. WCC-2006-00030A.

The City Council adjourned into Executive Session at 7:45 p.m. Mr. Jeff Bryant, City Attorney, Mr. Blaine Nice and Ms. Rebecca Frazier, Assistant City Attorneys, and Mr. Steve Lewis, City Manager, were in attendance at the Executive Session.

Thereupon, Councilmember Quinn moved that Executive Session be adjourned out of and the Council meeting be reconvened, which motion was duly seconded by Councilmember Kovach; 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, 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 Executive Session adjourned out of; and the Council meeting was reconvened at 8:29 p.m.

The Mayor said the possible purchase of real property for library purposes and settlement of Laura Gardner-Bowman vs. the City of Norman, filed in Cleveland County District Court, Case No. CJ-2008-2004L; Workers' Compensation Cases, WCC 2006-12561 and WCC 2007-05443A; Fraternal Order of Police, Lodge No. 122 vs. the City of Norman, Grievance FMCS No. 071205-51886-8; and settlement of Earl Page in Workers' Compensation Court Case No. WCC-2006-00030A 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 Dillingham; 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
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 8:31 p.m.

ATTEST:

City Clerk

Mayor