

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

April 28, 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 28th day of April, 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 Monroe Elementary School.

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Item 3, being:

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

Mayor Rosenthal and Councilmember Kovach presented Citizenship Awards to students Austin Woods, Emily Jones, Connor Bowles, Lily Anthony, John Barry, Amy Pasque, Pace Satterhwaite, Cristina Rivas, Amuri Kelson, Audra Landers, Christian Garner, and Eva Sparks. Ms. Gracie Branch, Principal of Monroe Elementary School, said the students were selected as representatives of good citizens of Monroe Elementary School and served as Student Council officers during either the first or second semesters.

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 36 excluding Item 24 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Cubberley; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 36 excluding Item 24, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 5 through Item 36 excluding Item 24 were placed on the consent docket by unanimous vote.

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Item 5, being:

STORMWATER MASTER PLAN PUBLIC MEETING MINUTES OF APRIL 6, 2009  
CITY COUNCIL STUDY SESSION MINUTES OF APRIL 7, 2009  
CITY COUNCIL CONFERENCE MINUTES OF APRIL 14, 2009  
CITY COUNCIL MINUTES OF APRIL 14, 2009  
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 14, 2009  
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 14, 2009  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 14, 2009

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

Item 5, continued:

Items submitted for the record

1. Stormwater Master Plan Public Meeting minutes of April 6, 2009
2. City Council Study Session minutes of April 7, 2009
3. City Council Conference minutes of April 14, 2009
4. City Council minutes of April 14, 2009
5. Norman Utilities Authority minutes of April 14, 2009
6. Norman Municipal Authority minutes of April 14, 2009
7. Norman Tax Increment Finance Authority minutes of April 14, 2009

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

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

NAYES: None

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

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Item 6, being:

CONSIDERATION OF THE FOLLOWING ORDINANCE UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-38: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT (TRACT 1), AND PLACE A TRACT OF LAND IN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND REMOVE THE SAME FROM THE C-2, GENERAL COMMERCIAL DISTRICT (TRACT 2), OF SAID CITY; AND SO AS TO GRANT SPECIAL USE FOR OFFICES WITHIN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF LINDSEY STREET APPROXIMATELY 140 FEET WEST OF ED NOBLE PARKWAY)

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

Items submitted for the record

1. Memorandum dated April 22, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-38 and Exhibit A, site development plan
3. Location map
4. Staff Report dated March 12, 2009, recommending approval with conditions
5. Pertinent excerpts from Planning Commission minutes of March 12, 2009

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

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

NAYES: None

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

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Item 7, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2

- TERM: 04-10-09 TO 04-10-12: KARLA BONZIE, 4505 HARROGATE DRIVE
- TERM: 04-10-09 TO 04-10-12: GAIL POOLE, 705 TIFFIN AVENUE
- TERM: 04-10-09 TO 04-10-12: JOE SIANO, 131 SOUTH FLOOD AVENUE

GREENBELT COMMISSION

- TERM: 04-28-09 TO 07-13-12: JACK EURE, 1017 KINGS ROAD, WARD 2

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

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

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

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Item 8, being:

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

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

- Items submitted for the record
  1. Finance Director's Investment Report of March 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, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 9, being:

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

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

- Items submitted for the record
  1. Monthly Departmental Reports for the month of March, 2009

Item 9, continued:

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

NAYES: None

The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 10, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-0809-49; CONTRACT NO. K-0809-107; PERFORMANCE BOND NO. B-0809-46, STATUTORY BOND NO. B-0809-47, MAINTENANCE BOND NO. MB-0809-39, AND RESOLUTION NO. R-0809-81 FOR THE COLONIAL ESTATES SPLASH PAD PROJECT.

Councilmember Dillingham moved that Request for Proposal No. RFP-0809-49 from RJR Enterprises, Inc., for the Colonial Estates Splash Pad Project be accepted; Contract No. K-0809-107 in the amount of \$140,000 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-0809-81 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 28, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Request for Proposal summary for the Colonial Estates Splash Pad Project
3. Proposal No. 6051737 dated December 12, 2008, from RJR Enterprises, Inc., in the amount of \$140,000
4. Splashpad Design Overview
5. Contract No. K-0809-107
6. Performance Bond No. B-0809-46
7. Statutory Bond No. B-0809-47
8. Maintenance Bond No. MB-0809-39
9. Resolution No. R-0809-81
10. Purchase Requisition No. 0000152251 dated January 8, 2009, in the amount of \$140,000 to RJR Enterprises, Inc.

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Request for Proposal No. RFP-0809-49 from RJR Enterprises, Inc., for the Colonial Estates Splash Pad Project and upon the subsequent approval, directive, authorization, and adoption, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Request for Proposal No. RFP-0809-49 from RJR Enterprises, Inc., for the Colonial Estates Splash Pad Project accepted; Contract No. K-0809-107 in the amount of \$140,000 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-0809-81 was adopted.

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Item 11, being:

SUBMISSION OF THE FOLLOWING PERMITS ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE RELOCATION OF A WATER LINE AND SEWER LINE FOR THE FOLLOWING PROJECT:

<u>ODEQ PERMIT NO.</u>	<u>PROJECT</u>
WL-000014090148	ROBINSON STREET GRADE SEPARATION PROJECT LOCATED
SL-000014090149	ON ROBINSON STREET AT ITS INTERSECTION WITH THE RAILROAD TRACKS

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

Items submitted for the record

1. Memorandum dated April 9, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. State of Oklahoma Department of Environmental Quality Permit No. WL000014090148 dated March 2, 2009, Water Lines, PWSID No. 1020801
3. State of Oklahoma Department of Environmental Quality Permit No. SL000014090149 dated March 2, 2009, Sewer Lines, S-20616

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

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Item 12, being:

CONSIDERATION OF GRANTING THE FOLLOWING EASEMENT TO OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE COMPOST FACILITY RELOCATION:

<u>EASEMENT NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0809-91	CITY OF NORMAN	UTILITIES

Councilmember Dillingham moved that the easement be granted and the execution thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 15, 2009, from Jim Speck, Capital Projects Engineer, to Norman Municipal Authority
2. Letter dated April 10, 2009, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Jim C. Speck, P.E., City of Norman
3. Easement No. E-0809-91 with Exhibit "A," legal description, and Exhibit "B," location map

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

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

NAYES: None

The Mayor declared the motion carried and the easement granted; and the execution thereof was directed.

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Item 13, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-0809-3 FOR THOUSAND OAKS.

Councilmember Dillingham moved that Norman Rural Certificate of Survey No. COS-0809-3 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 17, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Norman Rural Certificate of Survey No. COS-0809-3
4. Staff Report dated February 12, 2009, recommending approval
5. Topographic map
6. Norman Predevelopment Summary dated December 18, 2008
7. Partial Release of Right-of-Way granted by Rubicon Capital, L.L.C., to Plains Pipeline, L.P., by Plains Marketing GP, Inc., with Exhibit "A," location map, and Exhibit "B," legal description
8. Pertinent excerpts from Planning Commission minutes of February 12, 2009

and the question being upon approving Norman Rural Certificate of Survey No. COS-0809-3 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-0809-3 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 14, being:

CONSIDERATION OF A FINAL PLAT FOR VECTOR ROCK CREEK ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Dillingham 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 Kovach;

Items submitted for the record

1. Memorandum dated April 10, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Site plan
5. Final plat
6. Staff Report dated January 8, 2009, recommending approval
7. Pertinent excerpts from Planning Commission minutes of January 8, 2009

and the question being upon approving 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.

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Item 15, being:

**CONSIDERATION OF THE PARTIAL RELEASE OF CASH SURETIES FOR DEFERRED CONSTRUCTION OF PAVING, DRAINAGE, AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH TECUMSEH RIDGE ADDITION, SECTION II.**

Councilmember Dillingham moved that the partial release of the owners' obligations for deferred construction be approved and the partial return of Certificate of Deposit Nos. 7073331501 and 7073434401 in the amount of \$228,791.66 be directed to the owners with the remainder of \$31,154.84 to be the developer's share of the costs of design, recoupment, and utility relocation for the Tecumseh Road Paving Project, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 10, 2009, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map
3. Letter of request dated April 17, 2009, from David Yazdanipannah, Field Coordinator, Home Creations, to Ken Danner
4. Certificate of Deposit No. 7073331501 dated October 12, 2005, in the amount of \$129,973.25 from Hajeh Farzaneh, Trustee, Hajeh Farzaneh Revocable Living Trust, UAD, December 6, 2003
5. Certificate of Deposit No. 7073434401 dated October 12, 2005, in the amount of \$129,973.25 from Azam Farzaneh, Trustee, Azam Farzaneh Trust, UAD, December 6, 2003
6. Pertinent excerpts from City Council minutes of August 23, 2005

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. Shawn O'Leary, Director of Public Works

and the question being upon approving the partial release of the owners' obligations for deferred construction and upon the subsequent directive, a vote was taken with the following vote:

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

NAYES: None

The Mayor declared the motion carried and the return of the owners' obligations for deferred construction approved; and the partial return of Certificate of Deposit Nos. 7073331501 and 7073434401 in the amount of \$228,791.66 was directed to the owners with the remainder of \$31,154.84 for the developer's share of the costs of design, recoupment, and utility relocation for the Tecumseh Road Paving Project.

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Item 16, being:

**CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0809-7 FOR PROPERTY LOCATED AT 2200 WEST BROOKS STREET, WHITTIER MIDDLE SCHOOL.**

Councilmember Dillingham moved that Consent to Encroachment No. 0809-7 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 14, 2009, from Jeff H. Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Consent to Encroachment No. 0809-7
3. Location map
4. Letter of request dated April 8, 2009, from Robert L. Pendarvis, Crowe and Dunlevy, to Ms. Brenda Hall, City Clerk
5. Memorandum dated April 9, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities

Item 16, continued:

Items submitted for the record, continued:

6. Memorandum dated April 14, 2009, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
7. Memorandum dated April 15, 2009, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
8. Registered Survey dated April 9, 2009, from Lemke Land Surveying, Inc.
9. Memorandum dated April 16, 2009, from Doug Koscinski, AICP, Manager of Current Planning, to Brenda Hall, City Clerk
10. Letter dated April 10, 2009, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
11. Letter dated April 17, 2009, from Henry Bluejacket, ONEOK Real Estate Services, Oklahoma Natural Gas Company, to Mr. Ken Danner, City of Norman
12. Letter dated April 14, 2009, from Marshall Birchett, Right-of-Way Agent, Cox Communications, Inc., to Ken Danner, Planning and Community Development
13. Letter dated April 10, 2009, from Terri Hayes, Manager – OSP Planning and Engineering Design, Norman/Noble Wire Centers, AT&T, to Whom It May Concern
14. Letter dated April 14, 2009, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator

and the question being upon approving Consent to Encroachment No. 0809-7 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. 0809-7 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 17, being:

CONSIDERATION OF SUBMISSION OF AN APPLICATION FOR GRANT FUNDING IN THE AMOUNT OF \$129,900 TO BE SUBMITTED TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR A JOB ACCESS AND REVERSE COMMUNITY (JARC)/NEW FREEDOM GRANT TO PROVIDE HANDICAP ACCESSIBLE IMPROVEMENTS TO CLEVELAND AREA RAPID TRANSIT (CART) BUS STOP LOCATIONS.

Councilmember Dillingham moved that the proposed application for a grant in the amount of \$129,900 from the Oklahoma Department of Transportation for a JARC/New Freedom grant to provide handicap accessible improvements to CART bus stop locations be approved and the submission thereof be directed to the Oklahoma Department of Transportation, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 10, 2009, from Bob Hanger, City Engineer, to Honorable Mayor and Councilmembers
2. 2009 Oklahoma Department of Transportation JARC/New Freedom Funding Application dated March 4, 2009
3. Location map
4. Letter of support dated March 17, 2009, from Cody D. Ponder, Cleveland Area Rapid Transit, Planning and Grants, to Whom It May Concern

Participants in discussion

1. Ms. Liz Hatcher, 3650 132nd Avenue S.E., made comments

Item 17, continued:

and the question being upon approving the proposed application for a grant in the amount of \$129,900 from the Oklahoma Department of Transportation for a JARC/New Freedom grant to provide handicap accessible improvements to CART bus stop locations 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 proposed application for a grant in the amount of \$129,900 from the Oklahoma Department of Transportation for a JARC/New Freedom grant to provide handicap accessible improvements to CART bus stop locations approved; and the submission thereof was directed to the Oklahoma Department of Transportation.

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Item 18, being:

LIMITED LICENSE NO. 0809-18: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FRIENDS OF THE NORMAN LIBRARY FOR THE BETTER BOOKS SALE TO BE HELD MAY 1 THROUGH 3, 2009.

Councilmember Dillingham moved that Limited License No. 0809-18 to place four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 9, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. Letter of request dated March 24, 2009, from Simon H. Rudnick, 2009 Friends of the Norman Library Book Sale Co-Chair, to Brenda Hall, City Clerk
3. Application for Limited License for four signs dated March 24, 2009, from the Friends of the Norman library with map of sign locations
4. Limited License No. 0809-18

and the question being upon approving Limited License No. 0809-18 to place four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. 0809-18 to place four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library approved; and the issuance thereof was authorized.

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Item 19, being:

LIMITED LICENSE NO. 0809-19: LIMITED LICENSE TO PLACE ELEVEN (11) TROLLEY STOP SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE NORMAN ARTS COUNCIL FOR THE SECOND FRIDAY CIRCUIT OF ART BEING HELD THROUGH DECEMBER, 2009.

Councilmember Dillingham moved that Limited License No. 0809-19 to place eleven (11) trolley stop signs within the public rights-of-way pursuant to a request from the Norman Arts Council be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 19, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. Application for Limited License for eleven trolley stop signs dated April 2, 2009, from the Norman Arts Council with list of sign locations and drawing of the sign
3. Limited License No. 0809-19

and the question being upon approving Limited License No. 0809-19 to place eleven (11) trolley stop signs within the public rights-of-way pursuant to a request from the Norman Arts Council and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. 0809-19 to place eleven (11) trolley stop signs within the public rights-of-way pursuant to a request from the Norman Arts Council approved; and the issuance thereof was authorized.

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Item 20, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0708-111: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND HDR ENGINEERING, INC., IN THE AMOUNT OF \$903,126 TO PROVIDE CONSTRUCTION SERVICES FOR THE LIFT STATION D REHABILITATION PROJECT AND BUDGET TRANSFERS.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that Amendment No. One to Contract No. K-0708-111 with HDR Engineering, Inc, in the amount of \$903,126 be approved, the execution thereof be authorized, and \$499,691 be transferred from Project No. WW0303, Lift Station D Expansion, Excise Tax - Construction (322-9234-432.61-01) to Lift Station D Expansion, Excise Tax – Design (322-9234-432.62-01) and \$333,127 from Lift Station D Expansion, Sales Tax – Construction (323-9234-432.61-01) to Lift Station D Expansion, Sales Tax – Design (032-9234-432.62-01), which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated March 30, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Amendment No. One to Contract No. K-0708-111 with Exhibit C-1, Basis of Compensation; Exhibit D, Duties, Responsibilities and Limitations of Authority of Resident Project Representative; and Exhibit E, Notice of Acceptability of Work
3. Purchase Order No. 157802 dated March 25, 2008, to HDR Engineering, Inc., in the amount of \$456,453 adding Amendment No. One in the amount of \$903,126 for a total contract amount of \$1,359,579

Item 20, continued:

and the question being upon approving Amendment No. One to Contract No. K-0708-111 with HDR Engineering, Inc., in the amount of \$903,126 and upon the subsequent authorization and transfers, 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. One to Contract No. K-0708-111 with HDR Engineering, Inc, in the amount of \$903,126 approved; the execution thereof authorized and \$499,691 was transferred from Project No. WW0303, Lift Station D Expansion, Excise Tax - Construction (322-9234-432.61-01) to Lift Station D Expansion, Excise Tax – Design (322-9234-432.62-01) and \$333,127 from Lift Station D Expansion, Sales Tax – Construction (323-9234-432.61-01) to Lift Station D Expansion, Sales Tax – Design (032-9234-432.62-01).

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Item 21, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-0708-154: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SUN CONSTRUCTION SERVICES, INC., DECREASING THE CONTRACT AMOUNT BY \$1,000 FOR THE WATER TREATMENT PLANT SAFETY AND ROOF REPLACEMENT PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that Change Order No. Two to Contract No. K-0708-154 with Sun Construction Services, Inc., decreasing the contract amount by \$1,000 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$11,753.80 be directed to Sun Construction Services, Inc., which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated April 13, 2009, from Chris Mattingly, Utilities Superintendent, to Norman Utilities Authority
2. Change Order No. Two to Contract No. K-0708-154

and the question being upon approving Change Order No. Two to Contract No. K-0708-154 with Sun Construction Services, Inc., decreasing the contract amount by \$1000 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-0708-154 with Sun Construction Services, Inc., decreasing the contract amount by \$1,000 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$11,753.80 was directed to Sun Construction Services, Inc.

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Item 22, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-5: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND KRAPFF-REYNOLDS CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$45,160 TO ADD THE BRIGGS STREET SEWER LINE PROJECT TO THE FYE 2008 SEWER MAINTENANCE PROJECT.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that Change Order No. One to Contract No. K-0809-5 with Krapff-Reynolds Construction Company increasing the contract amount by \$45,160 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated April 8, 2009, from Charlie Thomas, Capital Projects Engineer, to Norman Utilities Authority
2. Change Order No. One to Contract No. K-0809-5
3. Location maps
4. Pertinent excerpts from City Council Conference Minutes of January 13, 2009
5. Purchase Order No. 162599 dated July 28, 2008, in the amount of \$1,790,646 adding Change Order No. One in the amount of \$45,160 for a total contract amount of \$1,835,806

and the question being upon approving Change Order No. One to Contract No. K-0809-5 with Krapff-Reynolds Construction Company increasing the contract amount by \$45,160 and upon the subsequent authorization, 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. One to Contract No. K-0809-5 with Krapff-Reynolds Construction Company increasing the contract amount by \$45,160 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 23, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0809-9: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE UNIVERSITY OF OKLAHOMA/METRO TRANSIT/CART IN THE AMOUNT OF \$10,500 TO PROVIDE FUNDING FOR THE BUS PASS PROGRAM TO LOW AND MODERATE-INCOME CITIZENS THROUGH JUNE 30, 2009.

Councilmember Dillingham moved that Amendment No. One to Contract No. K-0809-9 with the University of Oklahoma/Metro Transit/CART increasing the contract amount by \$10,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 13, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Amendment No. One to Contract No. K-0809-9
3. Purchase Requisition No. 0000155647 dated April 14, 2009, in the amount of \$10,500 to CART

and the question being upon approving Amendment No. One to Contract No. K-0809-9 with the University of Oklahoma/Metro Transit/CART increasing the contract amount by \$10,500 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-0809-9 with the University of Oklahoma/Metro Transit/CART increasing the contract amount by \$10,500 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 24, being:

CONTRACT NO. K-0809-46: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ALLTEL COMMUNICATIONS, L.L.C., FOR THE CONSTRUCTION AND LEASE OF A MONOPOLE TOWER SITE LOCATED AT THE STREET MAINTENANCE FACILITY AT 668 EAST LINDSEY STREET AND GRANTING OF EASEMENT NO. E-0809-90.

Councilmember Cubberley moved that Contract No. K-0809-46 with ALLTEL Communications, L.L.C., be approved, Easement No. E-0809-90 be granted, and the execution of the contract and easement be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Memorandum dated April 9, 2009, from Jennifer Gray, Telecommunications Administrator, to the Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-46 with Exhibit A, Site Description
- 3. Location map
- 4. Easement No. E-0809-90 with Exhibit A, legal description, and Exhibit B, location map

Participants in discussion

- 1. Ms. Jennifer Gray, Telecommunications Administrator
- 2. Mr. George Eyler, 201 Overton Drive, asked questions

and the question being upon approving Contract No. K-0809-46 with ALLTEL Communications, L.L.C., and upon the subsequent grant 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-0809-46 with ALLTEL Communications, L.L.C., approved; Easement No. E-0809-90 was granted and the execution of the contract and easement was authorized.

\* \* \* \* \*

Item 25, being:

CONTRACT NO. K-0809-141: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN OPTIMIST CLUB FOR THE USE OF THE REAVES PARK BASEBALL COMPLEX FOR A PERIOD OF FIVE YEARS.

Councilmember Dillingham moved that Contract No. K-0809-141 with the Norman Optimist Club for a period of five years be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated April 14, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-141 with Exhibit A, Responsibilities of Norman Optimist Club, and Exhibit B, Responsibilities of the City of Norman
- 3. Reaves Park Baseball Complex diagram

and the question being upon approving Contract No. K-0809-141 with the Norman Optimist Club for a period of five years and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-141 with the Norman Optimist Club for a period of five years approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 26, being:

CONSIDERATION OF A REQUEST FOR FUNDING FROM 89ER DAY PARADE COMMITTEE AND APPROVAL OF CONTRACT NO. K-0809-142.

Councilmember Dillingham moved that Contract No. K-0809-142 with the 89er Day Parade Committee in the amount of \$5,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated April 21, 2009, from Kathryn L. Walker, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-142 with Exhibit A, letter of request dated February 12, 2009, from Charles R. Hollingsworth, Co-Chair, '89er Day Parade, to Mayor Cindy Rosenthal, City of Norman, and '89 Day Parade 2009 Committee Working Budget
- 3. Purchase Requisition No. 0000155419 dated April 9, 2009, in the amount of \$5,000 to 89er Day Parade Committee

and the question being upon approving Contract No. K-0809-142 with the 89er Day Parade Committee in the amount of \$5,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0809-142 with the 89er Day Parade Committee in the amount of \$5,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 27, being:

CONTRACT NO. K-0809-143: A PIPELINE LICENSE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BNSF RAILWAY COMPANY IN THE AMOUNT OF \$3,500 IN CONNECTION WITH THE ROBINSON STREET GRADE SEPARATION PROJECT.

Councilmember Dillingham moved that Contract No. K-0809-143, a pipeline license, with BNSF Railway Company in the amount of \$3,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated April 17, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
- 2. Contract No. K-0809-143 with Exhibit "A," location map
- 3. Purchase Requisition No. 0000155889 dated April 20, 2009, in the amount of \$3,500 to BNSF Railway Company

and the question being upon approving Contract No. K-0809-143, a pipeline license, with BNSF Railway Company in the amount of \$3,500 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 Contract No. K-0809-143, a pipeline license, with BNSF Railway Company in the amount of \$3,500 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 28, being:

RESOLUTION NO. R-0809-144: A RESOLUTION OF THE NORMAN MUNICIPAL AUTHORITY APPROPRIATING \$14,800 FROM THE WESTWOOD FUND BALANCE FOR THE REPLACEMENT OF TWO CHEMICAL CONTROLLERS AT THE WESTWOOD SWIM COMPLEX AND TO PURCHASE OPERATING CHEMICALS FOR THE COMPLEX FOR THE REMAINDER OF FYE 2009.

Acting as the Norman Municipal Authority, Trustee Dillingham moved that Resolution No. R-0809-144 be adopted, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated April 10, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0809-144

and the question being upon adopting Resolution No. R-0809-144, 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 Resolution No. R-0809-144 was adopted.

\* \* \* \* \*

Item 29, being:

RESOLUTION NO. R-0809-145: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$65,000 FROM THE CAPITAL FUND BALANCE TO BE USED FOR THE TRAFFIC SIGNAL UPGRADE PROJECT.

Councilmember Dillingham moved that Resolution No. R-0809-145 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated April 2, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-145

and the question being upon adopting Resolution No. R-0809-145, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0809-145 was adopted.

\* \* \* \* \*

Item 30, being:

RESOLUTION NO. R-0809-147: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$23,000 FROM THE SEIZURES AND RESTITUTION FUND BALANCE TO BE USED TO PURCHASE SURVEILLANCE EQUIPMENT AND PROVIDE BASIC NARCOTICS TRAINING AND CONTINUING EDUCATION FOR THE NARCOTICS DIVISION OF THE POLICE DEPARTMENT.

Councilmember Dillingham moved that Resolution No. R-0809-147 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memoranda dated April 8, 2009, from Phil Cotten, Chief of Police, by Captain JD Younger, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-147

and the question being upon adopting Resolution No. R-0809-147, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-147 was adopted.

\* \* \* \* \*

Item 31, being:

RESOLUTION NO. R-0809-148: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$28,100 FROM THE RISK MANAGEMENT FUND BALANCE TO BE USED TO COVER SELF INSURED PROPERTY/VEHICLE/EQUIPMENT RELATED LOSSES DURING THE REMAINDER OF FYE 2009.

Councilmember Dillingham moved that Resolution No. R-0809-148 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated April 10, 2009, from Clint Mercer, Chief Accountant, through Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0809-148

and the question being upon adopting Resolution No. R-0809-148, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-148 was adopted.

\* \* \* \* \*

Item 32, being:

PROCLAMATION NO. P-0809-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, MAY 9, 2009, AS NATIONAL TRAIN DAY IN THE CITY OF NORMAN, THE KICK OFF FOR NORMAN DEPOT'S CENTENNIAL YEAR CELEBRATION.

Councilmember Dillingham moved that receipt of Proclamation No. P-0809-24 proclaiming Saturday, May 9, 2009, as National Train Day in the City of Norman, the kick off for Norman's Depot Centennial Year Celebration, be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Proclamation No. P-0809-24

Participants in discussion

- 1. Ms. Ina St. John, Co-Chair of the Santa Fe Depot Centennial Celebration Committee, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-24 proclaiming Saturday, May 9, 2009, as National Train Day in the City of Norman, the kick off for Norman's Depot Centennial Year Celebration, 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-0809-24 proclaiming Saturday, May 9, 2009, as National Train Day in the City of Norman, the kick off for Norman's Depot Centennial Year Celebration, acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 33, being:

PROCLAMATION NO. P-0809-25: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 4 THROUGH 10, 2009, AS FAIR TRADE AWARENESS WEEK AND SATURDAY, MAY 9, 2009, AS INTERNATIONAL FAIR TRADE DAY IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-0809-25 proclaiming the week of May 4 through 10, 2009, as Fair Trade Awareness Week and Saturday, May 9, 2009, as International Fair Trade Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Proclamation No. P-0809-25

Participants in discussion

- 1. Mr. Ajit Bhand representing Norman Fair Trade, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-25 proclaiming the week of May 4 through 10, 2009, as Fair Trade Awareness Week and Saturday, May 9, 2009, as International Fair Trade Day 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-0809-25 proclaiming the week of May 4 through 10, 2009, as Fair Trade Awareness Week and Saturday, May 9, 2009, as International Fair Trade Day in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 34, being:

PROCLAMATION NO. P-0809-26: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 9 THROUGH 16, 2009, AS NATIONAL TRAVEL AND TOURISM WEEK IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-0809-26 proclaiming the week of May 9 through 16, 2009, as National Travel and Tourism Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Proclamation No. P-0809-26

Participants in discussion

1. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-26 proclaiming the week of May 9 through 16, 2009, as National Travel and Tourism 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-0809-26 proclaiming the week of May 9 through 16, 2009, as National Travel and Tourism Week in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 35, being:

PROCLAMATION NO. P-0809-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING FRIDAY, MAY 1, 2009, AS BIKE TO WORK DAY IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-0809-27 proclaiming Friday, May 1, 2009, as Bike to Work Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Proclamation No. P-0809-27

Participants in discussion

1. Mr. John Sharp, Association of Central Oklahoma Governments, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-27 proclaiming Friday, May 1, 2009, as Bike to Work Day 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-0809-27 proclaiming Friday, May 1, 2009, as Bike to Work Day in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 36, being:

PROCLAMATION NO. P-0809-28: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 3 THROUGH 9, 2009, AS NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK AND WEDNESDAY, MAY 6, 2009, AS OCCUPATIONAL SAFETY AND HEALTH PROFESSIONAL DAY IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-0809-28 proclaiming the week of May 3 through 9, 2009, as North American Occupational Safety and Health Professional Week and Wednesday, May 6, 2009, as Occupational Safety and Health Professional Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Proclamation No. P-0809-28

Participants in discussion

1. Mr. Michael Messner, Loss Control Consultant, Union Standard Insurance Agency, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-28 proclaiming the week of May 3 through 9, 2009, as North American Occupational Safety and Health Professional Week and Wednesday, May 6, 2009, as Occupational Safety and Health Professional Day 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-0809-28 proclaiming the week of May 3 through 9, 2009, as North American Occupational Safety and Health Professional Week and Wednesday, May 6, 2009, as Occupational Safety and Health Professional Day in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 37, being:

PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF \$119,844 FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO BE USED BY THE POLICE DEPARTMENT FOR TRAINING AND TO PURCHASE A PATROL BUREAU TRAILER; DIGITAL VIDEO/AUDIO RECORDING SYSTEM FOR INVESTIGATIONS; IDENTIFICATION CARD PRODUCTION SYSTEM; PROFESSIONAL VIDEO PRODUCTION, MATERIAL, AND TRAINING FOR COMMUNITY POLICING; POLICE OFFICER RECRUITING; AUDIO/VIDEO SYSTEMS FOR CANINE UNITS; EVIDENCE SYSTEM UPGRADE; WEAPONS; AND TECHNICAL INVESTIGATOR CAMERAS.

Councilmember Quinn moved that a public hearing be conducted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 2, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
2. Budget Narrative

and the question being upon conducting a public hearing, a vote was taken with the following result:

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

NAYES: None

Item 37, continued:

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. Phil Cotten, Police Chief
2. Ms. Sylvia Martin, Post Office Box 430, asked questions

Thereupon, Councilmember Griffith moved that the public hearing be closed, which motion was duly seconded by Councilmember Dillingham; and the question being upon closing the public hearing, 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 public hearing was closed.

Thereupon, Councilmember Kovach moved that the grant application in the amount of \$119,844 to the DOJ/BJA through the JAG Program be approved, the submittal thereof be directed, and the City Manager be authorized to sign any and all documents related to the grant, which motion was duly seconded by Councilmember Cubberley;

Participants in discussion

1. Mr. Phil Cotten, Police Chief

and the question being upon approving the grant application in the amount of \$119,844 to the DOJ/BJA through the JAG Program and upon the subsequent directive 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 the grant application in the amount of \$119,844 to the DOJ/BJA through the JAG Program approved; the submittal thereof was directed and the City Manager was authorized to sign any and all documents related to the grant.

\* \* \* \* \*

Item 38, being:

**CONSIDERATION OF A PRELIMINARY PLAT FOR OEC HEMPHILL ADDITION AND WAIVER OF ALLEY REQUIREMENTS.**

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

Items submitted for the record

1. Memorandum dated April 10, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary site plan
4. Preliminary plat
5. Staff Report dated March 12, 2009, recommending approval
6. Letter of request dated February 6, 2009, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Jim Gasaway, Chairman, Planning Commission
7. Greenbelt/Trail Assessment Form for Proposed Plats for Proposed Development for Oklahoma Electric Cooperative dated February 16, 2009
8. Pertinent excerpts from Planning Commission minutes of March 12, 2009

Item 38, continued:

Participants in discussion

- 1. Mr. Harold Heiple, 218 East Eufaula Street, attorney representing the applicant
- 2. Ms. Mary Francis, 850C Cardinal Creek Condos, asked questions
- 3. Ms. Shawn O’Leary, Director of Public Works

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

\* \* \* \* \*

Item 39, being:

RESOLUTION NO. R-0809-125: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING COMMUNITY ORIENTED POLICY (COP) IN ORDER TO IDENTIFY POLICING PRIORITIES OF THE COMMUNITY AND CREATE A STRATEGY FOR DEVELOPING PROCESSES FOR THOSE PRIORITIES.

Councilmember Kovach moved that Resolution No. R-0809-125 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Resolution No. R-0809-125
- 2. City of Norman, Oklahoma, 2009, Norman's Rededication to Community Oriented Policing
- 3. Pertinent excerpts from City Council Oversight Committee minutes of January 21, February 4, February 18, and March 4, 2009
- 4. City Council Conference minutes of April 14, 2009

Participants in discussion

- 1. Lieutenant David Teuscher, Norman Police Department
- 2. Mr. Jim Stanley, 3922 Pine Ridge Circle, asked questions
- 3. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
- 4. Mr. Phil Cotten, Police Chief

and the question being upon adopting Resolution No. R-0809-125, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-125 was adopted.

Councilmember Ezzell stepped out of Council Chambers prior to the vote for Item 39.

\* \* \* \* \*

Item 40, being:

RESOLUTION NO. R-0809-142: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND CONFIRMING FINAL COSTS ASSOCIATED WITH TECUMSEH ROAD, AN ARTERIAL ROAD, FROM 821.45 FEET EAST OF 12TH AVENUE N.W. TO 12TH AVENUE N.E. AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO RELEASE PROPERTIES AS ASSESSMENTS ARE PAID.

Councilmember Kovach moved that Resolution No. R-0809-142 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated April 7, 2009, from Lonnie Ferguson, Capital Project Manager, to Honorable Mayor and City Councilmembers
2. Resolution No. R-0809-142 with Exhibit A, recoupment project map, and Exhibit B, list of property included in the Tecumseh Road Recoupment Project

Participants in discussion

1. Mr. Shawn O’Leary, Director of Public Works
2. Mr. Eddie Edge, 9800 East Lindsey Street, made comments
3. Mr. Al McCord, 1624 Hawthorne Court, made comments
4. Mr. Jim Matheny, 200 Merkle Drive, made comments
5. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Quinn moved that Resolution No. R-0809-142, be postponed until May 12, 2009, which motion was duly seconded by Councilmember Butler; and the question being upon postponing Resolution No. R-0809-142 until May 12, 2009, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-142 was postponed until May 12, 2009.

\* \* \* \* \*

Item 41, being:

RESOLUTION NO. R-0809-149: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DESIGNATING THE CITY OF NORMAN’S AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS TO BE SUBMITTED TO THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS.

Councilmember Cubberley moved that Resolution No. R-0809-149 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated April 21, 2009, from Shawn O’Leary, Director of Public Works, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-149
3. Federal Stimulus Transportation Projects map dated April 21, 2009

Participants in discussion

1. Mr. Shawn O’Leary, Director of Public Works
2. Ms. Sylvia Martin, Post Office Box 430, asked questions

and the question being upon adopting Resolution No. R-0809-149, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0809-149 was adopted.

\* \* \* \* \*

Item 42, being:

ORDINANCE NO. O-0809-18: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 3-101 THROUGH 3-108 AND ADDING SECTIONS 3-109 AND 3-110 TO CHAPTER 3 OF THE CODE OF THE CITY OF NORMAN BY ADDING DEFINITIONS REGARDING ADEQUATE SHELTER, ALTERED ANIMALS, ANIMAL WELFARE GROUPS, PRIVATE KENNELS AND COMMERCIAL KENNELS, FERAL CATS AND DOGS, AND FOSTER HOMES; AMENDING SECTIONS 3-201, 3-203, 3-205, 3-206, 3-208, 3-301, 3-402, 3-407, AND 3-502 AND ADDING SECTIONS 3-410 THROUGH 3-413 REGARDING ANNUAL INSPECTIONS OF LICENSED KENNELS, DISPLAY OF TAGS, ANIMAL WELFARE GROUP EVENTS, INADEQUATE VENTILATION OF SHELTER IN EXTREME TEMPERATURES, NUMBER OF CATS AND DOGS PER RESIDENCE AND CONFINEMENT, SALE OF DOGS AND CATS, INTERFERENCE WITH ENFORCEMENT, AND DEPOSIT OF PET WASTE ON PUBLIC AND PRIVATE PROPERTY, AMENDING SECTION 13-108 AND SECTIONS 13-1201 THROUGH 13-1204 REGARDING KENNEL LICENSING, INSPECTIONS, AND FEES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0809-18 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 14, 2009, Councilmember Kovach moved that Ordinance No. O-0809-18 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Memorandum dated April 3, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
2. Ordinance No. O-0809-18
3. Legislatively notated copy of Ordinance No. O-0809-18
4. Letter of support dated March 9, 2009, from Lynn Pettyjohn, President, Board of Directors, Second Chance Animal Sanctuary, to Major Jim Maisano, Norman Police Department
5. Letter of support dated March 20, 2009, from Maripat Elroy, Director, Fix A Cat, Inc., to Honorable Mayor, Councilmembers, and City Staff
6. Email of support dated February 25, 2009, from Mark Howery, Citizens Humane Commission, to Jim Maisano
7. Letter of support dated March 4, 2009, from Kathryn Hodges, President, Animal Volunteers Alliance, to Major Maisano
8. Pertinent excerpts from Norman Animal Shelter Oversight Committee minutes of February 23, 2009
9. Pertinent excerpts from City Council Study Session minutes of October 21, 2008
10. Summaries of comments received at the October 21, 2008, study session and public meetings on November 5 and December 9, 2008, and January 12, 2009
11. Power Point presentation of Animal Welfare Ordinance Changes
12. Pertinent excerpts from City Council Conference minutes of March 31, 2009

Participants in discussion

1. Major Jim Maisano, Norman Police Department
2. Mr. George Eyler, 201 Overton Drive, made comments
3. Mr. Will Mattoon, 3113 Millbury Road, made comments
4. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
5. Ms. Jennifer Golden, 120 Devonshire Drive, Co-Chair of Animal Shelter Oversight Committee
6. Mr. Mark Howery, 801 Heatherhill Court, Co-Chair of the Animal Shelter Oversight Committee
7. Mr. Steven Headlee, 1615 Blue Lakes Drive, asked questions
8. Mr. Jim Stanley, 3933 Pine Tree Circle, asked questions

and the question being upon adopting Ordinance No. O-0809-18 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-18 was adopted upon Second Reading section by section.

Item 42, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-0809-18 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Ezzell; and the question being upon adopting Ordinance No. O-0809-18 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-18 was adopted upon Final Reading as a whole.

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#### MISCELLANEOUS DISCUSSION

Mormon Tabernacle Choir. Mr. Will Mattoon, 3113 Millbury Road, announced the Mormon Tabernacle Choir will be performing in Norman at the Lloyd Noble Center on Saturday, June 27, 2009, at 7:30 p.m. He said the Choir is comprised of 350 singers and 75 orchestra members who travel throughout the country with a repertoire from classical music to Show Tunes. He encouraged citizens to attend this world-class event and said tickets were available at the University of Oklahoma ticket office and online.

\*

Stimulus Program. Ms. Sylvia Martin, Post Office Box 430, said the Stimulus Program is supposed to help local communities and asked if there is any way that contractors could be required to employ people from the community where they are working.

Mayor Rosenthal said this is not a requirement, but it was a great suggestion.

\*

Swine Flu. Mr. Steve Lewis, City Manager, said the Department of Human Services declared a public health emergency on April 26, 2009, with the outbreak of Swine Flu in the United States. He said this was a precautionary step that is being taken by the Federal Government to activate some of the resources that will be needed with the developing situation. He said the Fire Department acts as the Emergency Management Coordinator within the community and have begun discussions with Norman Regional Hospital and the Cleveland County Health Department. He said national events can be monitored and information can be obtained by contacting the website for the Centers for Disease Control, [www.cdc.gov](http://www.cdc.gov), and the State of Oklahoma website, [www.health.ok.gov](http://www.health.ok.gov). The State of Oklahoma has established a hot line for those who have questions and that number is 866-278-7134, which is available from 8:00 a.m. to 5:00 p.m.

\*

Bracelets for Firefighter Rick Bacon. Councilmember Kovach announced all Norman Fire Stations had support bracelets for sale with proceeds being used to defray expenses for injured firefighter, Rick Bacon.

\*

Joint Wards One and Two Public Meeting. Councilmember Kovach said the joint meeting for Wards One and Two was held on Monday, April 20, 2009, and he thanked those who came and participated.

\*

Miscellaneous Discussion, continued:

Norman Regional Hospital. Councilmember Kovach said David Whitaker, Chief Operating Officer of Norman Regional Hospital, attended the joint ward meeting for Wards One and Two on April 20, 2009, and answered questions from the public. Mr. Whitaker had reported the hospital's bond rating had been downgraded to a negative status and indicated that other hospitals in the area were suffering as well. Councilmember Kovach said the Director of Finance had reported at a recent budget meeting that one of the stabilizing factors in our economy is the health care industry. Councilmember Kovach said by statute, the City of Norman was to receive monthly reports from the hospital on any and all expenditures that involve the debts that the City has authorized. He said he has not personally gotten any of these reports. He said he felt the Charter was in conflict with the Trust Indenture by allowing for removal of board members by a vote of five Councilmembers while the Trust Indenture, which was voted on by Council only allows for removal of board members for cause. He asked if the City Attorney could look into how Council could supersede the Charter. He said he is also concerned that the statute calls for the beneficiary to be benefitted by Public Trusts. He said at the meeting, the audience asked why the hospital bought more property and the answer was this would make the hospital grow. The indenture specifically calls for certain things, such as the expansion of mental health facilities yet the hospital is investing money in hospitals outside our community. He felt we owed it to the public to look into this and hopes as the new board positions become available, we are mindful of the citizens' needs. He said since the City Manager is an ex-officio member of the Norman Regional Hospital Authority, possibly our Finance Director could sit in on the meeting to get a clear picture of the value of the trust and how the actions of the board affect that. The Fitz Group reports a \$24,000,000 loss in investments and that is significant, especially when employees are being laid off.

Mayor Rosenthal said that the City Manager and the Mayor receive the monthly reports, which are available to any Councilmember.

\*

Thanks to Utilities and Police Departments. Councilmember Ezzell thanked the Utilities Department for the quick response after a driver ran over a fire hydrant close to his home. He said the Utility Department worked diligently throughout the night to alleviate the problem. He commended the Police Department, who caught the driver who was intoxicated.

\*

Thanks to City Staff. Councilmember Dillingham said City Staff has been working many hours to submit the Stimulus Program Grants and commended City employees for all that they do.

\*

Lake Thunderbird Trash Pickup. Councilmember Butler thanked those who came from the University of Oklahoma and the Norman community to clean up Lake Thunderbird last Saturday.

\*

Household Hazardous Waste Collection Event. Councilmember Butler reminded citizens that the annual Household Waste Collection Event would be held Saturday, May 2, 2009, from 9:00 a.m. to 2:00 p.m. at the Lloyd Noble Center and urged citizens to participate.

\*

Community Oriented Policing Program. Councilmember Griffith thanked the Police Department and Lieutenant Teuscher for their efforts regarding Community Oriented Policing. He said the Police Department have always been focused on preventing crime, but now the attitude of the police force is to be friends with the community. He said the community will be part of the prevention process and he looked forward to the changes.

\*

Music Festival. Councilmember Quinn said the Music Festival was a great success.

Mayor Rosenthal commended all the people who worked behind the scenes and the festival coordinators. She acknowledged the work that City Clerk Brenda Hall had done with respect to the permitting process for the Music Festival.

\*

Miscellaneous Discussion, continued:

Prom Season. Councilmember Quinn said this is prom season for the high schools and reminded students to be safe and sane.

\*

Shop Norman. Councilmember Quinn reminded citizens to “Shop Norman.”

\*

Wild Fires in Choctaw. Mayor Rosenthal read a letter from Mayor Randy Ross; Robert Floyd, City Manager; and Loren Bumgarner, Fire Chief, of the City of Choctaw thanking the Norman Fire Department for responding to wildfires that swept through Choctaw last week. The letter stated that although 58 homes were lost, it could have been much worse had it not been from the Norman Fire Department. She said she just wanted to publicly acknowledge the Norman Fire Department.

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Item 44, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(4) IN ORDER TO DISCUSS THE STATUS OF ASHTON GROVE DEVELOPERS AND ASHTON GROVE MASTER ASSOCIATION VS. CITY OF NORMAN, CLEVELAND COUNTY, DISTRICT COURT CASE NO. CJ-2006-935 L.

Councilmember Dillingham moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to discuss the status of Ashton Grove Developers and Ashton Grove Master Association vs. City of Norman, Cleveland County, District Court Case No. CJ-2006-935 L., which motion was duly seconded by Councilmember Quinn; and the question being upon adjourning out of the City Council meeting and convening into an Executive Session in order to discuss the status of Ashton Grove Developers and Ashton Grove Master Association vs. City of Norman, Cleveland County, District Court Case No. CJ-2006-935 L, 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 Council meeting adjourned out of; and an Executive Session was convened into in order to discuss the status of Ashton Grove Developers and Ashton Grove Master Association vs. City of Norman, Cleveland County, District Court Case No. CJ-2006-935 L.

The City Council adjourned into Executive Session at 10:09 p.m. Mr. Rick Knighton, Assistant City Attorney, Mr. Jeff Bryant, City Attorney; Mr. Steve Lewis, City Manager; and Councilmember-Elect Alan Atkins, 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

NAYES: None

The Mayor declared the motion carried and Executive Session adjourned out of; and the Council meeting was reconvened at 10:32 p.m.

The Mayor said the status of Ashton Grove Developers and Ashton Grove Master Association vs. City of Norman, Cleveland County, District Court Case No. CJ-2006-935 L 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, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 10:39 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor