

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

May 26, 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 26th day of May, 2009, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

ABSENT: Councilmember Ezzell

The Pledge of Allegiance was led by students from Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 28 excluding Item 9 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 4 through Item 28 excluding Item 9, 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 Item 4 through Item 28 excluding Item 9 were placed on the consent docket by unanimous vote.

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Item 4, being:

CITY COUNCIL STUDY SESSION MINUTES OF MAY 5, 2009
CITY COUNCIL CONFERENCE MINUTES OF MAY 12, 2009
CITY COUNCIL MINUTES OF MAY 12, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 12, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 12, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 12, 2009

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

Items submitted for the record

1. City Council Study Session minutes of May 5, 2009
2. City Council Conference minutes of May 12, 2009
3. City Council minutes of May 12, 2009
4. Norman Utilities Authority minutes of May 12, 2009
5. Norman Municipal Authority minutes of May 12, 2009
6. Norman Tax Increment Finance Authority minutes of May 12, 2009

Item 4, continued:

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

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

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

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Item 5, being:

CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-45: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CITY OF NORMAN SO AS TO AMEND THE PLANNED UNIT DEVELOPMENT APPROVED WITH ORDINANCE NO. O-0001-13, THE NRH MEDICAL PARK WEST PLANNED UNIT DEVELOPMENT, TO AMEND THE NUMBER OF LOTS AND THE USES ALLOWED FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF TECUMSEH ROAD BETWEEN 36TH AVENUE N.W. AND I-35 SERVICE ROAD)

ORDINANCE NO. O-0809-46: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING EASEMENTS, BUILDING SETBACK LINES, LANDSCAPE BUFFERS, LOT LINES, AND BLOCK LINES WITHIN NRH MEDICAL PARK WEST ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF TECUMSEH ROAD BETWEEN 36TH AVENUE N.W. AND I-35 SERVICE ROAD)

ORDINANCE NO. O-0809-47: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 21-110 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR RATES FOR UTILITY SERVICES TO BE CHARGED TO NONRESIDENT USERS; ADDING SECTION 21-117 TO CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR CONTRACTS FOR WATER WITH NONRESIDENT USERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

Items submitted for the record

1. Memorandum dated May 15, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-45 with Exhibit A, site development plan
3. Location map
4. Staff Report dated May 14, 2009, recommending approval
5. NRH Medical Park West PUD Development Plan, May, 2009, Revision, dated May 13, 2009, submitted by Harold Heiple, Attorney/Agent for applicant
6. Medical Park West Design Guidelines prepared by Lockard Development, Inc., and Durant Group, Inc.
7. Memorandum dated May 15, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
8. Ordinance No. O-0809-46
9. Location map
10. Memorandum dated May 14, 2009, from Doug Koscinski, AICP, Manager of Current Planning Division, and Ken Danner, Development Coordinator, to Chairman and Members, Norman Planning Commission
11. Pertinent excerpts from Planning Commission minutes of May 14, 2009
12. Memorandum dated April 28, 2009, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and City Councilmembers

Item 5, continued:

Items submitted for the record, continued:

- 13. Ordinance No. O-0809-47
- 14. Legislatively notated copy of Ordinance No. O-0809-47
- 15. Pertinent excerpts from City Council Planning Committee minutes of September 26, 2008

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

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

NAYES: None

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

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Item 6, being:

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

PIONEER MULTI-COUNTY LIBRARY BOARD

TERM: 07-01-09 TO 07-01-12: LYNNE MILLER, 801 48TH AVENUE S.E.

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF NO. TWO

TERM: 05-26-09 TO 04-10-11: FRED WALDEN, POST OFFICE BOX 644

LIBRARY BOARD

TERM: 05-26-09 TO 05-01-10: RENEE PORTER, 3911 DURANGO CIRCLE

TERM: 05-01-09 TO 05-01-12: JEFFREY WILHITE, 316 CHAUTAUQUA AVE.

TERM: 05-01-09 TO 05-01-12: ERIN SLOAN, 212 FERRILL LANE

TERM: 05-26-09 TO 05-01-12: DARIN SAVAGE, 1018 WEST EUFAULA ST.

TREE BOARD

TERM: 05-26-09 TO 05-14-12: DON MENZIE, 4202 BRIARCREST DRIVE

OVERSIGHT COMMITTEE TO END CHRONIC HOMELESSNESS

TERM: 05-10-09 TO 05-10-12: JENNIFER NEWELL, 201 #B WEST GRAY ST.

TERM: 05-10-09 TO 05-10-12: CHRISTY BLAIR, 1417 JORDON CIRCLE

TERM: 05-10-09 TO 05-10-12: LISA SORRELLS, 10771 EAST LINDSEY ST.

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

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

NAYES: None

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

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Item 7, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF APRIL 30, 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;

Item 7, continued:

Items submitted for the record

- 1. Finance Director's Investment Report of April 30, 2009

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

YEAS: Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, 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 8, being:

SUBMISSION OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 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 April, 2009

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

YEAS: Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, 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 9, being:

SUBMISSION OF THE NORMAN REGIONAL HOSPITAL 2010 BUDGET.

Councilmember Quinn moved that receipt of the Norman Regional Hospital 2010 Budget be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Letter of transmittal dated May 15, 2009, from David Whitaker, FACHE, President and CEO of Norman Regional Health System, to Mrs. Brenda Hall, City Clerk
- 2. Norman Regional Health System FY 2010 Operating Budget
- 3. Norman Regional Health System FY 2010 Budgeted Volumes

and the question being upon acknowledging receipt of the Norman Regional Hospital 2010 Budget and upon the subsequent directive, 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 receipt of the Norman Regional Hospital 2010 Budget acknowledged; and the filing thereof was directed.

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Item 10, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-73 FOR THE PURCHASE OF THREE (3) TRAFFIC SIGNAL CONTROLLER AND CABINET ASSEMBLIES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid in the amount of \$14,209 each for a total bid price of \$42,627 be awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated April 30, 2009, from Gary Jennings, Traffic Control Supervisor, to Mayor and City Council
2. Bid tabulation dated March 26, 2009, for three (3) traffic signal controller and cabinet assemblies

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid, 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 the bid as meeting specifications accepted; and the bid in the amount of \$14,209 each for a total bid price of \$42,627 was awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications.

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Item 11, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-75 FOR THE PURCHASE OF THE FOLLOWING AUTOMATIC METER READ (AMR) WATER METERS FOR THE LINE MAINTENANCE DIVISION:

1. 5/8 INCH X 3/4 INCH RCDL 25 BRONZE METER
2. 1 INCH RCDL 70 BRONZE METER
3. 1 1/2 INCH RCDL 120 ELLIPTICAL METER
4. 2 INCH RCDL COMPOUND SERIES METER
5. 2 INCH RCDL 170 ELLIPTICAL METER
6. 2 INCH RCDL T-200 TURBINE ELLIPTICAL METER
7. 3 INCH RCDL COMPOUND SERIES METER
8. 3 INCH RCDL T-405 TURBINE METER
9. 3 INCH RCDL COMPOUND SERIES METER
10. 4 INCH RCDL T-1000 TURBINE METER
11. 6 INCH RCDL COMPOUND SERIES METER
12. 6 INCH RCDL T-2000 TURBINE METER WITH BRONZE STRAINER

Acting as the Norman Utilities Authority, Trustee Kovach moved that the bid as meeting specifications on all sections be accepted and the bid be awarded to Badger Meter, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated April 28, 2009, from David Hager, Utilities Superintendent, to Mayor and City Council
2. Bid tabulation dated April 23, 2009, for AMR cold water meters

Item 11, continued:

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

YEAS:	Trustees Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and the bid as meeting specifications on all sections accepted; and the bid was awarded to Badger Meter, Inc., as the lowest and best bidder meeting specifications.

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Item 12, being:

CONSIDERATION OF BID NO. 0809-77, CONTRACT NO. K-0809-131; CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-131 INCREASING THE CONTRACT AMOUNT BY \$58,906.25 TO ALLOW FOR ADDITIONAL WORK TO UTILIZE BUDGETED AMOUNT AND ADOPTION OF RESOLUTION NO. R-0809-138 FOR THE FYE 2009 CONCRETE VALLEY GUTTER AND ALLEY REPAIR PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$141,093.75 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-131 and Change Order No. One to Contract No. K-0809-131 increasing the contract amount by \$58,906.25 be approved; the Mayor be authorized to execute the contract and change order and sign Performance Bond No. B-0809-60, Statutory Bond No. B-0809-61, and Maintenance Bond No. MB-0809-56 contingent upon the City Attorney’s approval; and Resolution No. R-0809-138 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated April 21, 2009, from Bob Hanger, City Engineer, to Honorable Mayor and Councilmembers
2. Bid tabulation dated April 21, 2009, for the FYE 2009 Concrete Valley Gutter and Alley Repair Projects
3. Contract No. K-0809-131
4. Change Order No. One to Contract No. K-0809-131
5. Resolution No. R-0809-138
6. Purchase Requisition No. 0000156227 dated April 28, 2009, in the amount of \$200,000 to Central Contracting Services, Inc.

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorizations, and adoption, 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 all bids meeting specifications accepted; the bid in the amount of \$141,093.75 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-131 and Change Order No. One to Contract No. K-0809-131 increasing the contract amount by \$58,906.25 were approved; the Mayor was authorized to execute the contract and change order and sign Performance Bond No. B-0809-60, Statutory Bond No. B-0809-61, and Maintenance Bond No. MB-0809-56 contingent upon the City Attorney’s approval; and Resolution No. R-0809-138 was adopted.

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Item 13, being:

CONSIDERATION OF A FINAL PLAT FOR HAMES ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the final plat be approved, the public dedications contained within the plat be accepted, 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 May 8, 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 April 9, 2009, recommending approval
7. Pertinent excerpts from Planning Commission minutes of April 9, 2009

and the question being upon approving the final plat and upon the subsequent acceptance and directive, 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 the final plat approved; the public dedications contained within the plat were accepted and the filing of the final plat was directed.

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Item 14, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR ASHTON GROVE ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

In accordance with the October 14, 2008, Mandate issued by the Oklahoma Supreme Court in Ashton Grove, et al. vs. the City of Norman, et al., Case No. DF-103834, Councilmember Kovach moved that the final site development plan and final plat for Ashton Grove Addition, Section 2, a Planned Unit Development, that was submitted to City Council on April 25, 2006, 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated May 19, 2009, from Shawn O'Leary, Director of Public Works, to the Honorable Mayor and Councilmembers
2. Court of Civil Appeals Decision, Ashton Grove, L.C., et al., vs. City of Norman, et al., Case No. DF-103834, Mandate, Supreme Court of the State of Oklahoma, filed October 14, 2008
3. Court of Civil Appeals of the State of Oklahoma, Division III, Decision, Case No. 103834, filed April 4, 2008, Ashton Grove, LC., an Oklahoma Limited Liability Company, and Ashton Grove Master Association, Inc., an Oklahoma Not for Profit Corporation, vs. the City of Norman, a political subdivision of the State of Oklahoma, et al
4. District Court Journal Entry, Ashton Grove, L.C., et al., vs. the City of Norman, et al., Case No. CJ-2006-0935, filed April 8, 2009
5. Memorandum dated April 12, 2006, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
6. Memorandum dated April 17, 2006, from Doug Koscinski, AICP, Manager, Current Planning Division, to Mayor and Councilmembers, Norman City Council
7. Location map
8. Preliminary plat

Item 14, continued:

Items submitted for the record, continued:

9. Final site development plan
10. Final plat
11. Staff Report dated March 9, 2006
12. Gate modifications dated February 6 and March 1, 2006, submitted to Planning Commission
13. Revised gate modifications dated March 1, 2006
14. Pertinent excerpts from Board of Park Commissioners minutes of November 6, 1997
15. Pertinent excerpts from Planning Commission minutes of March 9, 2006
16. Letter dated March 13, 2006, from John D. Hastie, Phillips, McFall, McCaffrey, McVay and Murrah, P.C., to Mr. Douglas J. Koscinski, Manager of Current Planning
17. Letter dated March 9, 2006, from John D. Hastie, Phillips, McFall, McCaffrey, McVay, and Murrah, P.C., to David Nordyke, Chairman, Norman Planning Commission, with Schedule "A," Final Plat for Ashton Grove Addition, Section 1, and Final Site Development Plan; Schedule "B," Quit Claim Deed filed May 4, 2000, in Book 3160, Pages 666-680; and Schedule "C," Professional Resume for Leonard B. West, Jr., Ph.D., P.E.
18. Pertinent excerpts from Planning Commission minutes of May 14, 2009

and the question being upon approving the final site development plan and final plat for Ashton Grove Addition, Section 2, a Planned Unit Development, that was submitted to City Council on April 25, 2006, and upon the subsequent acceptance, authorization, and directive; 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 in accordance with the October 14, 2008, Mandate issued by the Oklahoma Supreme Court in Ashton Grove, et al. vs. the City of Norman, et al., Case No. DF-103834, the final site development plan and final plat for Ashton Grove Addition, Section 2, a Planned Unit Development, that was submitted to City Council on April 25, 2006, 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final site development plan and final plat was directed.

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Item 15, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR ASHTON GROVE ADDITION, SECTION 3, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

In accordance with the October 14, 2008, Mandate issued by the Oklahoma Supreme Court in Ashton Grove, et al. vs. the City of Norman, et al., Case No. DF-103834, Councilmember Kovach moved that the final site development plan and final plat for Ashton Grove Addition, Section 3, a Planned Unit Development, that was submitted to City Council on April 25, 2006, 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated April 12, 2006, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Memorandum dated April 17, 2006, from Doug Koscinski, AICP, Manager, Current Planning Division, to Mayor and Councilmembers, Norman City Council
3. Location map
4. Preliminary plat

Item 15, continued:

Items submitted for the records, continued:

5. Final site development plan
6. Final plat
7. Staff Report dated March 9, 2006
8. Gate modifications dated February 6 and March 1, 2006, submitted to Planning Commission
9. Revised gate modifications dated March 1, 2006
10. Pertinent excerpts from Board of Park Commissioners minutes of November 6, 1997
11. Pertinent excerpts from Planning Commission minutes of March 9, 2006
12. Letter dated March 13, 2006, from John D. Hastie, Phillips, McFall, McCaffrey, McVay and Murrah, P.C., to Mr. Douglas J. Koscinski, Manager of Current Planning
13. Letter dated March 9, 2006, from John D. Hastie, Phillips, McFall, McCaffrey, McVay, and Murrah, P.C., to David Nordyke, Chairman, Norman Planning Commission, with Schedule "A," Final Plat for Ashton Grove Addition, Section 1, and Final Site Development Plan; Schedule "B," Quit Claim Deed filed May 4, 2000, in Book 3160, Pages 666-680; and Schedule "C," Professional Resume for Leonard B. West, Jr., Ph.D., P.E.
14. Pertinent excerpts from Planning Commission minutes of May 14, 2009

and the question being upon approving the final site development plan and final plat for Ashton Grove Addition, Section 3, a Planned Unit Development, that was submitted to City Council on April 25, 2006, and upon the subsequent acceptance, authorization, and directive; 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 in accordance with the October 14, 2008, Mandate issued by the Oklahoma Supreme Court in Ashton Grove, et al. vs. the City of Norman, et al., Case No. DF-103834, the final site development plan and final plat for Ashton Grove Addition, Section 3, a Planned Unit Development, that was submitted to City Council on April 25, 2006, 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final site development plan and final plat was directed.

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Item 16, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR ASHTON GROVE VILLAS ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

In accordance with the October 14, 2008, Mandate issued by the Oklahoma Supreme Court in Ashton Grove, et al. vs. the City of Norman, et al., Case No. DF-103834, Councilmember Kovach moved that the final site development plan and final plat for Ashton Grove Villas Addition, Section 1, a Planned Unit Development, that was submitted to City Council on April 25, 2006, 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated April 12, 2006, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Memorandum dated April 17, 2006, from Doug Koscinski, AICP, Manager, Current Planning Division, to Mayor and Councilmembers, Norman City Council
3. Location map
4. Preliminary plat

Item 16, continued:

Items submitted for the record, continued:

5. Final site development plan
6. Final plat
7. Staff Report dated March 9, 2006
8. Gate modifications dated February 6 and March 1, 2006, submitted to Planning Commission
9. Revised gate modifications dated March 1, 2006
10. Pertinent excerpts from Board of Park Commissioners minutes of November 6, 1997
11. Pertinent excerpts from Planning Commission minutes of March 9, 2006
12. Letter dated March 13, 2006, from John D. Hastie, Phillips, McFall, McCaffrey, McVay and Murrah, P.C., to Mr. Douglas J. Koscinski, Manager of Current Planning
13. Letter dated March 9, 2006, from John D. Hastie, Phillips, McFall, McCaffrey, McVay, and Murrah, P.C., to David Nordyke, Chairman, Norman Planning Commission, with Schedule "A," Final Plat for Ashton Grove Addition, Section 1, and Final Site Development Plan; Schedule "B," Quit Claim Deed filed May 4, 2000, in Book 3160, Pages 666-680; and Schedule "C," Professional Resume for Leonard B. West, Jr., Ph.D., P.E.
14. Pertinent excerpts from Planning Commission minutes of May 14, 2009

and the question being upon approving the final site development plan and final plat for Ashton Grove Villas Addition, Section 1, a Planned Unit Development, that was submitted to City Council on April 25, 2006, and upon the subsequent acceptance, authorization, and directive; a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and in accordance with the October 14, 2008, Mandate issued by the Oklahoma Supreme Court in Ashton Grove, et al. vs. the City of Norman, et al., Case No. DF-103834, the final site development plan and final plat for Ashton Grove Villas Addition, Section 1, a Planned Unit Development, that was submitted to City Council on April 25, 2006, 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final site development plan and final plat was directed.

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Item 17, being:

LIMITED LICENSE NO. 0809-15: LIMITED LICENSE TO PLACE FIVE (5) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE JAZZ IN JUNE COMMITTEE FOR THE JAZZ IN JUNE FESTIVAL TO BE HELD JUNE 25 THROUGH JUNE 27, 2009.

Councilmember Kovach moved that Limited License No. 0809-15 to place five (5) ground banners within the public rights-of-way pursuant to a request from the Jazz in June Committee be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated May 15, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. Application for Limited License for five signs dated May 4, 2009, from David Joplin
3. Limited License No. 0809-15

Item 17, continued:

and the question being upon approving Limited License No. 0809-15 to place five (5) ground banners within the public rights-of-way pursuant to a request from the Jazz in June Committee and upon the subsequent authorization, 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 Limited License No. 0809-15 to place five (5) ground banners within the public rights-of-way pursuant to a request from the Jazz in June Committee approved; and the issuance thereof was authorized.

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Item 18, being:

SPECIAL CLAIM NO. 0809-17: A CLAIM IN THE REDUCED AMOUNT OF \$4,965.17 SUBMITTED BY JASON GARNER FOR CHARGES INCURRED DUE TO AN ACCIDENT WITH A CODE COMPLIANCE VEHICLE AT 36TH AVENUE N.W. AND MAIN STREET.

Councilmember Kovach moved that Special Claim No. 0809-17 be approved and payment in the reduced amount of \$4,965.17 be directed contingent upon obtaining a Release and Covenant Not to Sue from Jason Garner, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated May 4, 2009, from Jeanne Snider, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Special Claim No. 0809-17 dated March 15, 2009, submitted by Jason Garner in the amount of \$5,059.17

and the question being upon approving Special Claim No. 0809-17 and upon the subsequent directive, 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 Special Claim No. 0809-17 approved; and payment in the reduced amount of \$4,965.17 was directed contingent upon obtaining a Release and Covenant Not to Sue from Jason Garner.

* * * * *

Item 19, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-118: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TRANS-TEL CENTRAL, INC., INCREASING THE CONTRACT AMOUNT BY \$60,491 TO PROVIDE MODIFICATIONS AT THE INTERSECTIONS OF ROBINSON STREET AND FLOOD AVENUE, LINDSEY STREET AND JENKINS AVENUE, AND CHAUTAUQUA AVENUE AND HIGHWAY 9 AS PART OF THE INSTALLATION OF A FIBER OPTIC NETWORK TO CITY OF NORMAN FACILITIES AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Change Order No. One to Contract No. No. K-0809-118 with Trans-Tel Central, Inc., increasing the contract amount by \$60,491 be approved, the execution thereof be authorized, and \$60,491 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Telecommunications Equipment/Computer Hardware (010-3021-419.53-01), which motion was duly seconded by Councilmember Cubberley;

Item 19, continued:

Items submitted for the record

- 1. Memorandum dated May 11, 2009, from Jennifer Gray, Telecommunications Administrator, through Anthony Francisco, Finance Director, to the Honorable Mayor and City Councilmembers
- 2. Change Order No. One to Contract No. K-0809-118
- 3. Purchase Order No. 169297 dated February 12, 2009, in the amount of \$619,425 adding Change Order No. One in the amount of \$60,491 for an total contract amount of \$679,916

Participants in discussion

- 1. Mr. Anthony Francisco, Finance Director

and the question being upon approving Change Order No. One to Contract No. K-0809-118 with Trans-Tel Central, Inc., increasing the contract amount by \$60,491 and upon the subsequent authorization and appropriation, 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 Change Order No. One to Contract No. K-0809-118 with Trans-Tel Central, Inc., increasing the contract amount by \$60,491 approved; the execution thereof was authorized and \$60,491 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Telecommunications Equipment/Computer Hardware (010-3021-419.53-01).

* * * * *

Item 20, being:

CONTRACT NO. K-0809-151: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NOS. SRS-155F(709)ST AND SRS-155F(710)ST, STATE JOB NOS. 26337(04)ST AND 26337(05)ST FOR SAFE ROUTES TO SCHOOL AGREEMENT NO. 1008 AND ADOPTION OF RESOLUTION NO. R-0809-151. (JEFFERSON ELEMENTARY/LONGFELLOW MIDDLE SCHOOL PROJECT)

Councilmember Kovach moved that Contract No. K-0809-151 with the Oklahoma Department of Transportation be approved, Resolution No. R-0809-151 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 May 5, 2009, from Michael D. Rayburn, Assistant City Traffic Engineer, to Honorable Mayor and City Council
- 2. Contract No. K-0809-151 with Attachment A, Project Scope of Work; Attachment B, Procedures for the Selection of Architects, Engineer, and Other Design Consultants; Attachment C, Federal Title VI Provisions; and Attachment D, Statutory Affidavit
- 3. Resolution No. R-0809-151
- 4. Location map

and the question being upon approving Contract No. K-0809-151 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, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-151 with the Oklahoma Department of Transportation approved; Resolution No. R-0809-151 was adopted and the execution of the contract and resolution was authorized.

* * * * *

Item 21, being:

CONTRACT NO. K-0809-153: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MCCLAIN BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REHABILITATION PROGRAM FOR PROPERTY LOCATED AT 1126 CADDELL LANE.

Councilmember Kovach moved that Contract No. K-0809-153 with McClain Bank be approved and the execution of the contract be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated May 8, 2009, from Linda Price, Revitalization Manager, to Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-153
- 3. Certification of Mortgage Loan Financing
- 4. Good Faith Estimate
- 5. Payoff breakdown
- 6. Federal Truth-In-Lending Disclosure Statement dated May 8, 2009, for Loan Application No. 198579677 from McClain Bank, from Matthew Clinton and Gary A. Clinton

and the question being upon approving Contract No. K-0809-153 with McClain Bank and upon the subsequent authorization, 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 Contract No. K-0809-153 with McClain Bank approved; and the execution of the contract was authorized.

* * * * *

Item 22, being:

CONTRACT NO. K-0809-154: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE OKLAHOMA TOURISM AND RECREATION DEPARTMENT TO PROVIDE SOLID WASTE REMOVAL SERVICES FOR LAKE THUNDERBIRD STATE PARK.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Contract No. K-0809-154 with the Oklahoma Tourism and Recreation Department for solid waste removal services for Lake Thunderbird State Park be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated May 11, 2009, from Scottie Williams, Sanitation Superintendent, to Norman Municipal Authority
- 2. Contract No. K-0809-154 with Attachment A, specifications of applicable rates of per container storage fee for containers in use and not in use

and the question being upon approving Contract No. K-0809-154 with the Oklahoma Tourism and Recreation Department for solid waste removal services for Lake Thunderbird State Park and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and K-0809-154 with the Oklahoma Tourism and Recreation Department for solid waste removal services for Lake Thunderbird State Park approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-0809-155: A SOFTWARE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AZTECA SYSTEMS, INC., TO PROVIDE THE CITYWORKS® WORK ORDER MANAGEMENT SYSTEM FOR THE CITY OF NORMAN.

Councilmember Kovach moved that Contract No. K-0809-155 with Azteca Systems, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated May 4, 2009, from Gary Lowe, Information Systems Manager, through Anthony Francisco, Finance Director, to Honorable Mayor and City Council
2. Contract No. K-0809-155 with Attachment A, Purchase Order No. 164142 dated September 10, 2008, in the amount of \$17,500 to Azteca Systems, and Attachment B, Complimentary Update and Support Services
3. Contract No. K-0001-59 with Attachment A, Implementation Plan and Costs

and the question being upon approving Contract No. K-0809-155 with Azteca Systems, Inc., and upon the subsequent authorization, 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 Contract No. K-0809-155 with Azteca Systems, Inc., approved; and the execution thereof was authorized.

* * * * *

Item 24, 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-2008-09396H.

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 May 11, 2009, from Rebecca R. Frazier, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. WCC 2008-09396H filed April 27, 2009
3. Purchase Requisition No. 0000156729 dated May 12, 2009, in the amount of \$14,739 to Allen W. Shelton and John Colbert
4. Purchase Requisition No. 0000156730 dated May 12, 2009, in the amount of \$1,011.50 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000156731 dated May 12, 2009, in the amount of \$379.31 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000156733 dated May 12, 2009, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000156734 dated May 12, 2009, in the amount of \$119.30 to Cleveland County Court Clerk

Item 24, continued:

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, 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 25, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER REGARDING KELLE T. ROBERTSON VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2008-11154H.

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 May 11, 2009, from Rebecca R. Frazier, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. WCC 2008-11154H filed April 14, 2009
3. Purchase Requisition No. 0000156723 dated May 12, 2009, in the amount of \$22,831 to Kellee T. Robertson and Gary G. Prochaska
4. Purchase Requisition No. 0000156725 dated May 12, 2009, in the amount of \$722.50 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000156726 dated May 12, 2009, in the amount of \$270.94 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000156727 dated May 12, 2009, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000156728 dated May 12, 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, 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 26, 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. (MOTION TO FURTHER POSTPONE UNTIL JUNE 23, 2009)

Councilmember Kovach having moved in City Council’s meeting of May 12, 2009, that Resolution No. R-0809-142 be postponed until May 26, 2009, which motion was duly seconded by Councilmember Butler, Councilmember Kovach moved that Resolution No. R-0809-142 be further postponed until June 23, 2009, which motion was duly seconded by Councilmember Cubberley; and the question being upon further postponing Resolution No. R-0809-142 until June 23, 2009, 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-0809-142 was further postponed until June 23, 2009.

* * * * *

Item 27, being:

RESOLUTION NO. R-0809-150: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING THE ELM AVENUE IN-ROADWAY LIGHT SYSTEMS PROJECT TO THE FYE 2009 CAPITAL IMPROVEMENT PROJECT PLAN AND APPROPRIATING \$13,000 FROM THE CAPITAL FUND BALANCE TO THE NEW PROJECT ACCOUNT.

Councilmember Kovach moved that Resolution No. R-0809-150 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated May 11, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
2. Resolution No. R-0809-150
3. Letter dated May 12, 2009, from Bill Henwood, Director, Physical Plant, the University of Oklahoma, to Shawn O’Leary, Director of Public Works
4. Location map

Participants in discussion

1. Mr. Angelo Lombardo, Traffic Engineer

and the question being upon adopting Resolution No. R-0809-150, 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-0809-150 was adopted.

* * * * *

Item 28, being:

PROCLAMATION NO. P-0809-33: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, MAY 31, 2009, AS WORLD NO TOBACCO DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-33 proclaiming Sunday, May 31, 2009, as World No Tobacco Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Proclamation No. P-0809-33

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation
2. Ms. Lily Blevins, member of Students Working Against Tobacco (SWAT), accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-33 proclaiming Sunday, May 31, 2009, as World No Tobacco Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-0809-33 proclaiming Sunday, May 31, 2009, as World No Tobacco Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 29, being:

PUBLIC HEARING REGARDING THE PROPOSED THIRTY-FIFTH YEAR NORMAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION WHICH INCLUDES THE 2009 HOME PROGRAM TOTALING \$1,462,732 AND AMENDMENTS TO THE THIRTY-SECOND YEAR CDBG PROGRAM AND 2006 HOME PROGRAM TOTALING \$1,441,102 AND THE THIRTY-FOURTH YEAR CDBG PROGRAM AND 2008 HOME PROGRAM TOTALING \$1,615,222 TO BE SUBMITTED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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

Items submitted for the record

1. Memorandum dated May 1, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. CDBG/2009 HOME Investment Partnerships application dated May 27, 2009
3. Consolidated Plan for the Thirty-Fifth Year CDBG Program and the 2009 Home Partnership Program
4. Amendment No. One to the Consolidated Plan of the Thirty-Second Year CDBG Program and the 2006 Home Partnership Program
5. Amendment No. One to the Consolidated Plan of the Thirty-Fourth Year CDBG Program and the 2008 Home Partnership Program
6. Certifications

and the question being upon conducting a public hearing, 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 a public hearing was conducted.

Item 29, continued:

Thereupon, the following persons addressed City Council:

Participants in discussion

- 1. Ms. Linda Price, Revitalization Manager
- 2. Ms. Christy Blair, Co-Chair, CDBG Policy Committee, and Director of East Main Place

Thereupon, Councilmember Dillingham moved that the public hearing be closed, which motion was duly seconded by Councilmember Thompson; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Dillingham moved that recommendations regarding the proposed Thirty-Fifth Year CDBG Application which includes the 2009 HOME Program totaling \$1,462,732 and amendments to the Thirty-Second Year CDBG Program and 2006 HOME Program totaling \$1,441,102 and the Thirty-Fourth Year CDBG Program and 2008 HOME Program totaling \$1,615,222 be approved and the submission thereof to the United States Department of Housing and Urban Development be directed, which motion was duly seconded by Councilmember Kovach; and the question being upon approving recommendations regarding the proposed Thirty-Fifth Year CDBG Application which includes the 2009 HOME Program totaling \$1,462,732 and amendments to the Thirty-Second Year CDBG Program and 2006 HOME Program totaling \$1,441,102 and the Thirty-Fourth Year CDBG Program and 2008 HOME Program totaling \$1,615,222 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and recommendations regarding the proposed Thirty-Fifth Year CDBG Application which includes the 2009 HOME Program totaling \$1,462,732 and amendments to the Thirty-Second Year CDBG Program and 2006 HOME Program totaling \$1,441,102 and the Thirty-Fourth Year CDBG Program and 2008 HOME Program totaling \$1,615,222 approved; and the submission thereof to the United States Department of Housing and Urban Development was directed.

* * * * *

Item 30, being:

PUBLIC HEARING REGARDING THE FYE 2010 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS.

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

Items submitted for the record

- 1. City of Norman, Oklahoma, Fiscal Year Ending 2010 Annual Budget summary of Fund Balances
- 2. The City of Norman, Oklahoma, Budget, Fiscal Year Ending June 30, 2010, Financial Plan – Fiscal Year Ending 2010-2014

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

Item 30, continued:

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

NAYES: None

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

Thereupon, the following persons addressed City Council:

Participants in discussion

- 1. Mr. Anthony Francisco, Finance Director
- 2. Ms. Sylvia Martin, Post Office Box 430, asked questions
- 3. Ms. Jeanette Coker, 620 East Main Street, made comments
- 4. Mr. Steven Tyler, 783 DeBarr Avenue, made comments

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

Thereupon, Councilmember Cubberley moved that an agenda item be scheduled on June 23, 2009, to adopt the FYE 2010 City of Norman Budget, which motion was duly seconded by Councilmember Butler; and the question being upon scheduling an agenda item on June 23, 2009, to adopt the FYE 2010 City of Norman Budget, 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 an agenda item was scheduled on June 23, 2009, to adopt the FYE 2010 City of Norman Budget.

* * * * *

Item 31, being:

ORDINANCE NO. O-0809-41: 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 GRANT SPECIAL USE FOR A PRIVATE SCHOOL FOR PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, SAID PROPERTY LYING WITHIN LOT 2, BLOCK 1, ADBAR ADDITION, SECTION 2, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1037 NORTH UNIVERSITY BOULEVARD)

Ordinance No. O-0809-41 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 12, 2009, Councilmember Quinn moved that Ordinance No. O-0809-41 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Item 31, continued:

Items submitted for the record

1. Memorandum dated April 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-41 with Exhibit A, Site Plan
3. Location map
4. Staff Report dated April 9, 2009, recommending approval
5. Letter of request dated March 9, 2009, from Sean Paul Rieger, Attorney at Law – Architect, S.P. Rieger, PLLC, to City of Norman City Council, City of Norman Planning Commission, and City of Norman Planning Department
6. Norman Predevelopment Summary Case No. PD 09-09 dated March 26, 2009
7. Pertinent excerpts from Planning Commission minutes of April 9, 2009

Participants in discussion

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

and the question being upon adopting Ordinance No. O-0809-41 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-41 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-41 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-0809-41 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-41 was adopted upon Final Reading as a whole.

* * * * *

Item 32, being:

ORDINANCE NO. O-0809-40: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (500 ALAMEDA STREET)

Ordinance No. O-0809-40 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 12, 2009, Councilmember Cubberley moved that Ordinance No. O-0809-40 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-40 with Exhibit A, Landscaping Plan
3. Location map
4. Staff Report dated April 9, 2009, recommending approval
5. Pertinent excerpts from Planning Commission minutes of April 9, 2009

Item 32, continued:

Participants in discussion

1. Mr. Rudy Khouri, Khouri and Jazzar Properties, L.L.C., 620 North Berry Road, applicant

and the question being upon adopting Ordinance No. O-0809-40 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-40 was adopted upon Second Reading section by section.

Thereupon, Councilmember Griffith moved that Ordinance No. O-0809-40 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. O-0809-40 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0809-40 was adopted upon Final Reading as a whole.

* * * * *

Item 33, being:

ORDINANCE NO. O-0809-42: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 424.1(3) OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADD HIGH IMPACT INSTITUTIONAL USE AS A SPECIAL USE IN THE C-2, GENERAL COMMERCIAL DISTRICT; AMENDING THE DEFINITION THEREOF; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0809-42 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 12, 2009, Councilmember Quinn moved that Ordinance No. O-0809-42 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated April 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-42
3. Legislatively notated copy of Ordinance No. O-0809-42
4. Memorandum dated April 9, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
5. Pertinent excerpts from Planning Commission minutes of April 9, 2009

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Ordinance No. O-0809-42 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

Item 33, continued:

The Mayor declared the motion carried and Ordinance No. O-0809-42 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-42 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-0809-42 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-42 was adopted upon Final Reading as a whole.

* * * * *

Item 34, being:

ORDINANCE NO. O-0809-43: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN TO COMBINE ALL BUS BENCH AND BUS SHELTER REGULATIONS INTO SECTION 18-307; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0809-43 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 12, 2009, Councilmember Kovach moved that Ordinance No. O-0809-43 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-43
3. Legislatively notated copy of Ordinance No. O-0809-43
4. Pertinent excerpts from City Council Transportation Committee minutes of January 22, 2009
5. Pertinent excerpts from Planning Commission minutes of April 9, 2009

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Ordinance No. O-0809-43 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-43 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-0809-43 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Butler; and the question being upon adopting Ordinance No. O-0809-43 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-43 was adopted upon Final Reading as a whole.

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Item 35, being:

RESOLUTION NO. R-0809-146: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE REVISED ADMINISTRATIVE GUIDE FOR BUS STOP LOCATIONS AND BENCH AND SHELTER ADVERTISING.

Councilmember Kovach moved that Resolution No. R-0809-146 be adopted, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 17, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-146 with revised Administrative Guide for Bus Stop Locations and Bench and Shelter Advertising and annotated Administrative Guide for Bus Stop Locations and Bench and Shelter Advertising

and the question being upon adopting Resolution No. R-0809-146, 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-0809-146 was adopted.

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MISCELLANEOUS DISCUSSION

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

Councilmember Thompson said it was brought to his attention that the Community Survey had been mailed from Plano, Texas, and asked that the City look at using mail services in Norman. He said it was important to use professional services such as engineering and architectural firms that were locally owned and operated. He urged Council to issue a directive to the City to keep our hometown payrolls as viable as possible and this was another part of “Shopping Norman”.

*

Recent High School Graduates. Councilmember Quinn congratulated recent high school graduates in the area and said he wanted them to remember to come back to Norman after college and use the services they obtained at college in Norman.

*

Storm Water Master Plan Public Meeting. Councilmember Butler invited citizens to attend the Storm Water Master Plan Public Meeting to be held at 7:00 p.m., Wednesday, May 27, 2009, at Washington Elementary School.

Mayor Rosenthal urged citizens to attend this meeting and to read the report as it will address any misconceptions about storm water run off.

*

Energy Efficient Traffic Signals. Councilmember Butler said Council had received information about energy efficient traffic signals. She said the Public Works Department began replacing traffic light bulbs with LED bulbs fifteen years ago and to date, 91 stop lights had been converted to LED bulbs with 35 stop lights to be converted. She said the Classen/Highway Nine intersection had just been converted and this intersection had sixteen traffic lights with one bulb that stayed on all the time and changing the lights over to LED reduced the wattage by 90 percent. She said these retrofits will pay for themselves within five years and should last five years.

*

Miscellaneous Discussion, continued:

Westwood Golf Course. Councilmember Thompson said he felt there was a solution to the financial problems of Westwood Golf Course. He said he enjoyed golf and believed in "Municipal Golf". He said it was possible for the golf course to operate in the black and that Council is faced with a very difficult decision in order to make this happen. He said the golf course could operate with the existing payroll without the private contract with the golf pro and he felt obligated to make this idea public. He said the money saved by taking this step could bridge the \$150,000 financial gap and part of this gap included deferred maintenance. He urged Council to consider his idea.

*

Tribute to Larry Edmison. Councilmember Kovach said it was clearly in vogue to badmouth government and label it the problem and not the solution. The difficulty with this proposition is that our republic's founding principle holds government to be not just the representative of the people but to be of the people. He said he agreed with the criticisms of sluggish, unresponsive, and often wasteful nature of government and yet, individuals and not the institution are to blame. He said those who would be a pebble in the shoe of anybody in government are to be treasured because they remind people like himself that we are not one of them but first and foremost, one of us, and that government of the people, by the people, for the people shall not perish from this earth. He said not as long as people are willing to give selflessly of their time and to hold feet to the fire of friend and foe alike. He said he was referring to people like his friend, Larry Edmison who had a passion for open and responsive government from 201 West Gray Street to 1600 Pennsylvania Avenue. He said Larry may have stepped on toes and that they had certainly disagreed, but he and those of you who are pebbles in someone's shoe are more important to our system of government than someone like himself. He said Larry passed away on Monday, May 25, 2009, and it was important for him to be commended for helping all of us to be better servants of the people.

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Ward Four Block Party. Councilmember Dillingham announced that there would be a Ward Four Block Party on June 20, 2009, with location and details to be provided in the future.

*

Porter Corridor Open House. Mayor Rosenthal thanked everyone who attended the Porter Corridor Open House held Wednesday on May 21, 2009, and commended Staff and the Steering Committee. She said great work has been done and although there were still questions to be answered and issues to be resolved, this was an extraordinary step forward in terms of bringing a vision to the area.

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 8:17 p.m.

ATTEST:

City Clerk

Mayor