

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

July 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 July, 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 Atkins, Butler, Dillingham,
Griffith, Kovach, Mayor Pro Tem Cubberley

ABSENT: Councilmembers Ezzell, Quinn, and Mayor
Rosenthal

The Pledge of Allegiance was led by Mayor Pro Tem Cubberley.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 26 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Butler; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 26, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham,
Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Item 4 through Item 26 were placed on the consent docket by unanimous vote.

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Item 4, being:

CITY COUNCIL CONFERENCE MINUTES OF JULY 14, 2009
CITY COUNCIL MINUTES OF JULY 14, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 14, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 14, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 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;

Items submitted for the record

1. City Council Conference minutes of July 14, 2009
2. City Council minutes of July 14, 2009
3. Norman Utilities Authority minutes of July 14, 2009
4. Norman Municipal Authority minutes of July 14, 2009
5. Norman Tax Increment Finance Authority minutes of July 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 Atkins, Butler, Dillingham,
Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

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

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Item 5, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AS FOLLOWS:

PLANNING COMMISSION

TERM: 07-28-09 TO 11-01-11: CURTIS MCCARTY, 3817 DALSTON CIRCLE

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

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and the appointment was confirmed.

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Item 6, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JUNE 30, 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 June 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 Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

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

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Item 7, being:

SUBMISSION OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE, 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 June, 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 Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

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

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Item 8, being:

CONSIDERATION OF BID NO. 0910-10 FOR THE LITTLE RIVER INTERCEPTOR, PHASE III, AND NORTHWEST INTERCEPTOR PROJECTS.

Acting as the Norman Utilities Authority, Trustee Dillingham moved that all bids meeting specifications be accepted; the bid in the amount of \$1,637,392 be awarded to Red Cliff, Inc., as the lowest and best bidder meeting specifications; the Vice-Chairman be authorized to sign Contract No. K-0910-27, Performance Bond No. B-0910-7, Statutory Bond No. B-0910-8, and Maintenance Bond No. MB-0910-4 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Little River Interceptor, Phase III, and Northwest Interceptor Projects, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated July 14, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Letter of transmittal dated July 20, 2009, from Tom L. McCaleb, P.E., President, SMC Consulting Engineers, P.C., to Mr. Mark Daniels, Utilities Engineer
3. Bid record dated July 2, 2009, for the Little River Interceptor, Phase III, and Northwest Interceptor Projects
4. Contract No. K-0910-27
5. Purchase Requisition No. 0000159887 dated July 21, 2009, in the amount of \$1,637,392 to Red Cliff, Inc.

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

YEAS: Trustees Atkins, Butler, Dillingham, Griffith, Kovach, Vice-Chairman Cubberley

NAYES: None

The Vice-Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$1,637,392 was awarded to Red Cliff, Inc., as the lowest and best bidder meeting specifications; the Vice-Chairman was authorized to sign Contract No. K-0910-27, Performance Bond No. B-0910-7, Statutory Bond No. B-0910-8, and Maintenance Bond No. MB-0910-4 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for Little River Interceptor, Phase III, and Northwest Interceptor Projects.

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Item 9, being:

CONSIDERATION OF A FINAL PLAT FOR MONTEREY I 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 receipt of a warranty deed for parkland dedication requirements; 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 July 11, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Revised preliminary plat for Cedar Lane Addition
4. Final plat
5. Staff Report dated October 11, 2007, recommending approval
6. Pertinent excerpts from Board of Parks Commissioners minutes of November 3, 2005
7. Pertinent excerpts from Planning Commission minutes of October 11, 2007
8. Declaration of Property Owners Association from Monterey Development Company, L.L.C., for Monterey Addition, Section 1

Item 9, continued:

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

YEAS: Councilmembers Atkins, Butler, Dillingham,
Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem 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 receipt of a warranty deed for parkland dedication requirements, and the filing of the final plat was directed.

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Item 10, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR NRH MEDICAL PARK WEST ADDITION, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 1, BLOCK 1, NRH MEDICAL PARK WEST ADDITION, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

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

Items submitted for the record

1. Memorandum dated July 13, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Revised preliminary plat
4. Final site development plan
5. Final landscaping plan
6. Replat/final plat
7. Staff Report dated June 11, 2009, recommending approval
8. Pertinent excerpts from Planning Commission minutes of June 11, 2009

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

YEAS: Councilmembers Atkins, Butler, Dillingham,
Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat was directed.

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Item 11, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR NRH MEDICAL PARK WEST ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, A REPLAT OF PART OF NRH MEDICAL PARK WEST ADDITION, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

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

Item 11, continued:

Items submitted for the record

- 1. Memorandum dated July 13, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Revised preliminary plat
- 4. Final site development plan
- 5. Final landscaping plan
- 6. Replat/final plat
- 7. Staff Report dated June 11, 2009, recommending approval
- 8. Pertinent excerpts from Planning Commission minutes of June 11, 2009

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

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat was directed.

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Item 12, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR NRH MEDICAL PARK WEST ADDITION, SECTION 3, A PLANNED UNIT DEVELOPMENT, A REPLAT OF PART OF NRH MEDICAL PARK WEST ADDITION, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

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

Items submitted for the record

- 1. Memorandum dated July 13, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Revised preliminary plat
- 4. Final site development plan
- 5. Final landscaping plan
- 6. Replat/final plat
- 7. Staff Report dated June 11, 2009, recommending approval
- 8. Pertinent excerpts from Planning Commission minutes of June 11, 2009

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

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat was directed.

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Item 13, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR NRH MEDICAL PARK WEST ADDITION, SECTION 4, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

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

Items submitted for the record

1. Memorandum dated July 13, 2009, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Revised preliminary plat
4. Final site development plan
5. Final landscaping plan
6. Final plat
7. Staff Report dated June 11, 2009, recommending approval
8. Pertinent excerpts from Planning Commission minutes of June 11, 2009

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

YEAS:	Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat was directed.

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Item 14, being:

CONSIDERATION OF APPROVAL OF THE CITY OF NORMAN TO ACT AS LEAD AGENCY FOR THE CLEVELAND COUNTY CONTINUUM OF CARE COMMITTEE FOR THE PURPOSE OF SUBMITTING A GRANT APPLICATION FOR THE HOMELESS PREVENTION AND RAPID REHOUSING PROGRAM IN THE AMOUNT OF \$498,248.88 TO THE OKLAHOMA DEPARTMENT OF COMMERCE.

Councilmember Dillingham moved that the Homeless Prevention and Rapid Rehousing Program grant application in the amount of \$498,248.88 be approved, the submission thereof be directed to the Oklahoma Department of Commerce, and the Mayor be authorized to execute the associated contract documents contingent upon the City Attorney's approval, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated July 13, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
- Participants in discussion
1. Ms. Linda Price, Revitalization Manager
 2. Ms. Sylvia Martin, Post Office Box 430, asked questions

and the question being upon approving the Homeless Prevention and Rapid Rehousing Program grant application in the amount of \$498,248.88 and upon the subsequent directive and authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and the Homeless Prevention and Rapid Rehousing Program grant application in the amount of \$498,248.88 approved; the submission thereof was directed to the Oklahoma Department of Commerce and the Mayor was authorized to execute the associated contract documents contingent upon the City Attorney's approval.

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Item 15, being:

CONSIDERATION OF THE ACCEPTANCE OF A PUBLIC FLEET CONVERSION GRANT IN THE AMOUNT OF \$114,000 FROM THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO BE USED FOR COMPRESSED NATURAL GAS CONVERSION OF TWO (2) REFUSE TRUCKS AND APPROVAL OF CONTRACT NO. K-0910-52.

Councilmember Dillingham moved that a Public Fleet Conversion Grant from ACOG in the amount of \$114,000 to be used for CNG conversion of two (2) refuse trucks be accepted, Contract No. K-0910-52 for reimbursement of costs for the conversion be approved, the execution thereof be authorized, and upon reimbursement from ACOG, Other Revenue, ARRA Grant (033-0000-331.13-17) be increased by \$114,000, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated July 13, 2009, from Mike White, Fleet Management Superintendent, to Honorable Mayor and City Council
- 2. Contract No. K-0910-52

and the question being upon accepting a Public Fleet Conversion Grant from ACOG in the amount of \$114,000 to be used for CNG conversion of two (2) refuse trucks and upon the subsequent approval, authorization, and increase, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and a Public Fleet Conversion Grant from ACOG in the amount of \$114,000 to be used for CNG conversion of two (2) refuse trucks accepted; Contract No. K-0910-52 for reimbursement of costs for the conversion was approved, the execution thereof was authorized, and upon reimbursement from ACOG, Other Revenue, ARRA Grant (033-0000-331.13-17) will be increased by \$114,000.

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Item 16, being:

CONSIDERATION AND AWARDED OF BID NO. 0809-40 FOR THE PURCHASE OF ONE (1) COMPRESSED NATURAL GAS (CNG) 62,000 GVWR TRUCK CHASSIS WITH 24 YARD AUTOMATED SIDE LOAD REFUSE COMPACTOR FOR THE SANITATION DIVISION.

Acting as the Norman Municipal Authority, Trustee Dillingham moved that all bids meeting specifications be accepted and the bid in the amount of \$299,446 less trade-in of Unit No. 261 in the amount of \$18,000 for a total bid price of \$281,446 be awarded to J & R. Equipment, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated July 2, 2009, from Mike White, Fleet Management Superintendent, to Honorable Mayor and Councilmembers
- 2. Bid tabulation for one side loading CNG refuse truck

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

YEAS: Trustees Atkins, Butler, Dillingham, Griffith, Kovach, Vice-Chairman Cubberley

NAYES: None

The Vice-Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$299,446 less trade-in of Unit No. 261 in the amount of \$18,000 for a total bid price of \$281,446 was awarded to J & R. Equipment, L.L.C. as the lowest and best bidder meeting specifications.

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Item 17, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-42 FOR THE PURCHASE OF ONE (1) COMPRESSED NATURAL GAS (CNG) 62,000 GVWR TRUCK CHASSIS WITH 32-35 CUBIC YARD FRONT LOADING BODY FOR THE SANITATION DIVISION.

Acting as the Norman Municipal Authority, Trustee Dillingham moved that all bids meeting specifications be accepted and the bid in the amount of \$279,543 less trade-in of Unit No. 228 in the amount of \$15,000 for a total bid price of \$264,543 be awarded to J & R. Equipment, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated July 2, 2009, from Mike White, Fleet Management Superintendent, to Honorable Mayor and Councilmembers
- 2. Bid tabulation for one front loading CNG refuse truck

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

YEAS: Trustees Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Vice-Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$279,543 less trade-in of Unit No. 228 in the amount of \$15,000 for a total bid price of \$264,543 was awarded to J & R. Equipment, L.L.C. as the lowest and best bidder meeting specifications.

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Item 18, being:

CONTRACT NO. K-0910-35: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND APPOSITE ENGINEERING, L.L.C., IN THE AMOUNT OF \$169,783 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF WIDENING IMPROVEMENTS FOR PORTER AVENUE BETWEEN WOODCREST DRIVE AND APPROXIMATELY 1,000 FEET NORTH OF TECUMSEH ROAD AND BUDGET TRANSFER.

Councilmember Dillingham moved that Contract No. K-0910-35 with Apposite Engineering, L.L.C., in the amount of \$169,783 be approved, the execution thereof be authorized, and \$243,310 be transferred from Project No. BP0220, East Main Widening, Utilities (050-9064-431.67-01) to Project No. BP0044, East Rock Creek Widening, Construction (050-9552-431.61-01); \$100,000 from Project No. TR0044, East Rock Creek Widening, Construction (050-9552-431.61-01) to Project No. TR0243, Porter Gap Paving, Design (050-9366-431.62-01); and \$143,310 from Project No. TR0044, East Rock Creek Widening, Construction (050-9552-431.61-01) to Project No. TR0220, East Main Widening, Construction (050-9064-431.61-01), which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated July 14, 2009, from Lonnie Ferguson, Capital Projects Manager, to Honorable Mayor and City Council
- 2. Contract No. K-0910-35 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
- 3. Purchase Requisition No. 0000159201 dated July 1, 2009, in the amount of \$169,783 to Apposite Engineering, L.L.C.

and the question being upon approving Contract No. K-0910-35 with Apposite Engineering, L.L.C., in the amount of \$169,783 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Contract No. K-0910-35 with Apposite Engineering, L.L.C., in the amount of \$169,783 approved; the execution thereof was authorized and \$243,310 was transferred from Project No. BP0220, East Main Widening, Utilities (050-9064-431.67-01) to Project No. BP0044, East Rock Creek Widening, Construction (050-9552-431.61-01); \$100,000 from Project No. TR0044, East Rock Creek Widening, Construction (050-9552-431.61-01) to Project No. TR0243, Porter Gap Paving, Design (050-9366-431.62-01); and \$143,310 from Project No. TR0044, East Rock Creek Widening, Construction (050-9552-431.61-01) to Project No. TR0220, East Main Widening, Construction (050-9064-431.61-01).

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Item 19, being:

CONTRACT NO. K-0910-46: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NATIONAL INSURANCE CRIME BUREAU FOR A “BAIT” VEHICLE TO BE USED BY THE POLICE DEPARTMENT TO CAPTURE CAR THIEVES.

Councilmember Dillingham moved that Contract No. K-0910-46 with the National Insurance Crime Bureau in the amount of \$1.00 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated June 22, 2009, from Phil Cotten, Chief of Police, by Captain J.D. Younger, to Honorable Mayor and City Council
- 2. Contract No. K-0910-46

and the question being upon approving Contract No. K-0910-46 with National Insurance Crime Bureau in the amount of \$1.00 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Contract No. K-0910-46 with the National Insurance Crime Bureau in the amount of \$1.00 approved; the execution there was authorized.

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Item 20, being:

CONTRACT NO. K-0910-51: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STIMULUS PROJECT NO. STP-STIM(407)AG, STATE JOB NO. 26745(04), FOR THE RESURFACING OF PORTIONS OF EUFAULA STREET, FLOOD AVENUE, JENKINS AVENUE, WEST LINDSEY STREET, PORTER AVENUE, AND UNIVERSITY BOULEVARD AND ADOPTION OF RESOLUTION NO. R-0910-32.

Councilmember Dillingham moved that Contract No. K-0910-51 with the Oklahoma Department of Transportation be approved, Resolution No. R-0910-32 be adopted, and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated July 13, 2009, from Bob Hanger, City Engineer, to Honorable Mayor and City Council
- 2. Contract No. K-0910-51 with attachment, ARRA Project Financing
- 3. Resolution No. R-0910-32
- 4. Location map

and the question being upon approving Contract No. K-0910-51 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Contract No. K-0910-51 with the Oklahoma Department of Transportation approved; Resolution No. R-0910-32 was adopted and the execution of the contract and resolution was authorized.

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Item 21, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER REGARDING JOEL FORMBY VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2008-07275 R.

Councilmember Dillingham 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 Kovach;

Items submitted for the record

1. Memorandum dated July 14, 2009, from R. Blaine Nice and Rebecca R. Frazier, Assistant City Attorneys, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. WCC 2008-07275R filed July 13, 2009
3. Purchase Requisition No. 0000159621 dated July 14, 2009, in the amount of \$13,060 to Joel Formby and Greg A. Barnard
4. Purchase Requisition No. 0000159622 dated July 14, 2009, in the amount of \$231.20 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000159624 dated July 14, 2009, in the amount of \$97.95 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000159625 dated July 14, 2009, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000159626 dated July 14, 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 Atkins, Butler, Dillingham, Griffith Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem 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.

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Item 22, being

RESOLUTION NO. R-0910-36: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF CLAIMS FILED BY JOHN BROWN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF JOHN BROWN V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2008-08591 J; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Dillingham moved that Resolution No. R-0910-36 be adopted and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated July 20, 2009, from R. Blaine Nice and Rebecca R. Frazier, Assistant City Attorneys, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Resolution No. R-0910-36
3. Workers' Compensation Court Order No. WCC-2008-08591J, Order On Appeal Affirming the Decision of the Trial Court, filed June 18, 2009
4. Workers' Compensation Court Order No. WCC-2008-08591J, Order Awarding the Nature and Extent of Temporary Total and Permanent Partial Disability Benefits and Disfigurement, filed April 3, 2009

Item 22, continued:

Items submitted for the record, continued:

5. Purchase Requisition No. 0000159923 dated July 22, 2009, in the amount of \$88,242.76 to John Brown and Richard A. Bell
6. Purchase Requisition No. 0000159611 dated July 14, 2009, in the amount of \$982.60 to Workers Compensation Administrative Fund
7. Purchase Requisition No. 0000169612 dated July 14, 2009, in the amount of \$390.98 to Special Occupational Health and Safety Fund
8. Purchase Requisition No. 0000159613 dated July 14, 2009, in the amount of \$75 to Workers' Compensation Court Clerk
9. Purchase Requisition No. 0000159614 dated July 14, 2009, in the amount of \$119.30 to Cleveland County District Court Clerk

and the question being upon adopting Resolution No. R-0910-36 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0910-36 adopted; and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 23, being:

RESOLUTION NO. R-0910-29: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF A CLAIM FILED BY DONALD D. GALLION UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF DONALD D. GALLION V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2008-09048 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Dillingham moved that Resolution No. R-0910-29 be adopted and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated July 14, 2009, from R. Blaine Nice and Rebecca R. Frazier, Assistant City Attorneys, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Resolution No. R-0910-29
3. Purchase Requisition No. 0000159603 dated July 14, 2009, in the amount of \$47,000 to Don Gallion and Michael Utter
4. Purchase Requisition No. 0000159604 dated July 14, 2009, in the amount of \$809.23 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000159605 dated July 14, 2009, in the amount of \$303.45 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000159607 dated July 14, 2009, in the amount of \$75 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000159609 dated July 14, 2009, in the amount of \$119.30 to Cleveland County District Court Clerk

and the question being upon adopting Resolution No. R-0910-29 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0910-29 adopted; and payment of claims which will constitute judgment against the City of Norman was directed.

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Item 24, being:

RESOLUTION NO. R-0910-31: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$4,847.78 FROM THE ART IN PUBLIC PLACES FUND BALANCE TO BE USED BY THE NORMAN ARTS COUNCIL AS OUTLINED IN ORDINANCE NO. O-0708-5.

Councilmember Dillingham moved that Resolution No. R-0910-31 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated July 10,2009, from Clint Mercer, Chief Accountant, through Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0910-31

and the question being upon adopting Resolution No. R-0910-31, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0910-31 was adopted.

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Item 25, being:

RESOLUTION NO. R-0910-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REAPPROPRIATING \$6,092.90 FROM THE SEIZURES AND RESTITUTIONS FUND BALANCE TO PROVIDE NARCOTICS TRAINING AND CONTINUING EDUCATION FOR THE NARCOTICS DIVISION OF THE POLICE DEPARTMENT.

Councilmember Dillingham moved that Resolution No. R-0910-34 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated July 15, 2009, from Phil Cotten, Chief of Police, by Captain J.D. Younger, to Honorable Mayor and City Council
- 2. Resolution No. R-0910-34

and the question being upon adopting Resolution No. R-0910-34, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0910-34 was adopted.

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Item 26, being:

PROCLAMATION NO. P-0910-1: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING TUESDAY, AUGUST 4, 2009, AS “NATIONAL NIGHT OUT” IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-0910-1 proclaiming Tuesday, August 4, 2009, as “National Night Out” 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-0910-1

Participants in discussion

- 1. Master Police Officer Jennifer Newell, Neighborhood Watch Groups Coordinator, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-1 proclaiming Tuesday, August 4, 2009, as “National Night Out” in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and receipt of Proclamation No P-0910-1 proclaiming Tuesday, August 4, 2009, as “National Night Out” in the City of Norman acknowledged; and the filing thereof was directed.

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MISCELLANEOUS DISCUSSION

Striped Bicycle Lanes. Councilmember Kovach referenced a letter to the Editor recently published in the Norman Transcript regarding the City of Norman needing striped bicycle lanes. He said he would like the City to work on this.

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National Night Out. Councilmember Dillingham said it was not too late to register for “National Night Out” activities on August 4th. She said it was a great opportunity for neighborhoods to interact with public safety officials and asked interested citizens to contact Master Police Officer, Jennifer Newell, National Night Out Coordinator.

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ADJOURNMENT

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

YEAS:	Councilmembers Atkins, Butler, Dillingham, Griffith, Kovach, Mayor Pro Tem Cubberley
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the meeting was adjourned at 6:54 p.m.

ATTEST:

City Clerk

Mayor