

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

August 11, 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 11th day of August, 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, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Mayor Rosenthal

ABSENT: Councilmember Butler

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 27 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 27, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 27 were placed on the consent docket by unanimous vote.

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Item 4, being:

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF JULY 8, 2009
CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE MINUTES
OF JULY 10, 2009
CITY COUNCIL STUDY SESSION MINUTES OF JULY 21, 2009
CITY COUNCIL CONFERENCE MINUTES OF JULY 28, 2009
CITY COUNCIL MINUTES OF JULY 28, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 28, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 28, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 28, 2009

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

Items submitted for the record

1. City Council Oversight Committee minutes of July 7, 2009
2. City Council Planning and Community Development Committee minutes of July 10, 2009
3. City Council Study Session minutes of July 21, 2009
4. City Council Conference minutes of July 28, 2009
5. City Council minutes of July 28, 2009
6. Norman Utilities Authority minutes of July 28, 2009
7. Norman Municipal Authority minutes of July 28, 2009
8. Norman Tax Increment Finance Authority minutes of July 28, 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 Atkins, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Mayor Rosenthal

NAYES: None

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

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Item 5, being:

CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-17: 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 SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED EAST OF 12TH AVENUE S.E. AND ONE-QUARTER MILE NORTH OF EAST CEDAR LANE)

ORDINANCE NO. O-0809-48: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 23A OF THE AMENDED PLAT OF WETZLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF (GENERALLY LOCATED AT THE NORTHWEST CORNER OF TIMBERDELL ROAD AND CHAUTAUQUA AVENUE)

ORDINANCE NO. O-0910-1: 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 PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 3 WEST, OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-1, LOCAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF MAIN STREET APPROXIMATELY ONE-EIGHTH MILE EAST OF 48TH AVENUE S.W.)

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

Items submitted for the record

1. Memorandum dated July 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-17 with Exhibit A, Site Plan
3. Location map
4. Staff Report dated July 9, 2009, recommending approval with a condition
5. Planned Unit Development (PUD) Design Statement for Victory Park, Norman, Oklahoma, prepared by Cardinal Engineering, dated September 9, 2008, and revised March 24, 2009
6. Pertinent excerpts from Planning Commission minutes of July 9, 2009
7. Memorandum dated July 27, 2009, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
8. Ordinance No. O-0809-48
9. Location map
10. Staff Report dated July 9, 2009, recommending approval

Item 5, continued:

Items submitted for the record, continued:

- 11. Memorandum dated April 29, 2009, from Brenda Hall, City Clerk, to Doug Koscinski, Current Planning Manager; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; and Ken Danner, Development Coordinator
- 12. Memorandum dated May 13, 2009, from Jim Speck, Capital Projects Engineer, to Jeff Bryant, City Attorney
- 13. Letter of request dated April 29, 2009, from Armando Rosell, Mulinex, Ogden, Hall, Andrews, and Ludlam, to Brenda Hall, City of Norman Clerk
- 14. Certificate of Bonded Abstractor from Mitzi Combs, Abstractor License No. 93, First American Title and Trust Company
- 15. Ownership List, Order No. 1184224, dated April 8, 2009
- 16. Letter of no objection dated June 15, 2009, from Shannon Davis, Oklahoma Natural Gas, a Division of ONEOK, to Ken Danner, City of Norman
- 17. Pertinent excerpts from Planning Commission minutes of July 9, 2009
- 18. Memorandum dated July 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
- 19. Ordinance No. O-0910-1 with Exhibit A, Proposed Site Plan
- 20. Location map
- 21. Staff Report dated July 9, 2009, recommending approval
- 22. Pertinent excerpts from Planning Commission minutes of July 9, 2009

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 Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, 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:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AS FOLLOWS:

PLANNING COMMISSION

TERM: 08-11-09 TO 11-01-12: ANDY SHERRER, 120 MERKLE DRIVE

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

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

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

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Item 7, being:

SUBMISSION OF THE WASTEWATER OVERSIGHT COMMITTEE ANNUAL REPORT AS OF JUNE 30, 2009.

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

Items submitted for the record

1. Memorandum dated July 23, 2009, from Anthony Francisco, Director of Finance/NUA Treasurer, to Honorable Mayor and City Councilmembers and Honorable Trustees of the Norman Utilities Authority
2. The City of Norman Wastewater Oversight Committee Annual Report as 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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 8, being:

CONSIDERATION OF A RECOMMENDATION FROM THE REAPPORTIONMENT COMMISSION THAT THE CITY COUNCIL NOT ADJUST THE WARD BOUNDARIES AT THIS TIME.

Councilmember Quinn moved that the Reapportionment Commission recommendation that the City Council not adjust the ward boundaries at this time be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated August 11, 2009, from Doug Koscinski, AICP, Manager of Current Planning, to Honorable Mayor and Councilmembers
2. Memorandum dated June 19, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, and Joyce Green, Manager, GIS Division, to Chairman and Members, Norman Reapportionment Commission
3. Norman Reapportionment Commission minutes of July 13, 2009
4. Estimate of population by ward for 2006 through 2009

and the question being upon approving the Reapportionment Commission recommendation that the City Council not adjust the ward boundaries at this time, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the Reapportionment Commission recommendation that the City Council not adjust the ward boundaries at this time was approved.

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Item 9, being:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-0809-65 FROM OKLAHOMA CITY LANDFILL, L.L.C., D/B/A SOUTHEAST OKC LANDFILL TO PROVIDE SOLID WASTE DISPOSAL SERVICES FOR THE CITY OF NORMAN FROM THE HOURS OF 5:30 A.M. TO 5:30 P.M., MONDAY THROUGH FRIDAY, AND SATURDAYS, 7:00 A.M. TO 12:00 P.M., THROUGH JULY 31, 2012, AND APPROVAL OF CONTRACT NO. K-0910-47.

Acting as the Norman Municipal Authority, Trustee Quinn moved that Request for Proposal No. RFP-0809-65 from Oklahoma City Landfill, L.L.C., d/b/a Southeast OKC Landfill to provide solid waste disposal services for the City of Norman be accepted; Contract No. K-0910-47 with Oklahoma City Landfill, L.L.C., d/b/a Southeast OKC Landfill through July 31, 2012, be approved, and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Memorandum dated July 27, 2009, from Scottie Williams, Utilities Superintendent, to Norman Municipal Authority
2. Contract No. K-0910-47

and the question being upon accepting Request for Proposal No. RFP-0809-65 from Oklahoma City Landfill, L.L.C., d/b/a Southeast OKC Landfill to provide solid waste disposal services for the City of Norman and upon the subsequent approval and authorization, a vote was taken with the following result:

YEAS: Trustees Atkins, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Chairman Rosenthal

NAYES: None

The Chairman the motion carried and Request for Proposal No. RFP-0809-65 from Oklahoma City Landfill, L.L.C., d/b/a Southeast OKC Landfill to provide solid waste disposal services for the City of Norman accepted; Contract No. K-0910-47 with Oklahoma City Landfill, L.L.C., d/b/a Southeast OKC Landfill through July 31, 2012, was approved and the execution of thereof was authorized.

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Item 10, being:

CONSIDERATION OF BID NO. 0910-1, CONTRACT NO. K-0910-26, PERFORMANCE BOND NO. B-0910-5, STATUTORY BOND NO. B-0910-6, MAINTENANCE BOND NO. MB-0910-3, AND RESOLUTION NO. R-0910-11 FOR THE EUFAULA STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT FROM CARTER AVENUE TO REED AVENUE.

Councilmember Quinn moved that all bids meeting specifications be accepted; the bid in the amount of \$236,652 be awarded to Connelly Paving Company as the lowest and best bidder meeting specifications; Contract No. K-0910-26 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; execution of the contract be authorized; and Resolution No. R-0910-11 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 24, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Bid record dated July 16, 2009, for the Eufaula Street CDBG Reconstruction Project from Carter Avenue to Reed Avenue
3. Contract No. K-0910-26
4. Performance Bond No. B-0910-5
5. Statutory Bond No. B-0910-6
6. Maintenance Bond No. MB-0910-3
7. Resolution No. R-0910-11
8. Purchase Requisition No. 0000160242 dated July 29, 2009, in the amount of \$236,652 to Connelly Paving Company

Item 10, continued:

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

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$236,652 was awarded to Connelly Paving Company as the lowest and best bidder meeting specifications; Contract No. K-0910-26 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract was authorized; and Resolution No. R-0910-11 was adopted.

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Item 11, being:

CONSIDERATION AND AWARDED OF BID NO. 0910-6 FOR THE PURCHASE OF ONE (1) FIRE ENGINE FOR THE FIRE DEPARTMENT.

Councilmember Quinn moved that all bids meeting specifications be accepted and the bid in the amount of \$402,492 be awarded to Pierce Manufacturing as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated July 13, 2009, from James Fullingim, Fire Chief, to Honorable Mayor and City Council
- 2. Bid tabulation for a Custom Pumper for the Norman Fire Department

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: Councilmembers Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$402,492 was awarded to Pierce Manufacturing as the lowest and best bidder meeting specifications.

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Item 12, being:

CONSIDERATION OF BID NO. 0910-7, CONTRACT NO. K-0910-30, PERFORMANCE BOND NO. B-0910-13, STATUTORY BOND NO. B-0910-14, MAINTENANCE BOND NO. MB-0910-7, AND RESOLUTION NO. R-0910-20 FOR THE HIGHWAY NINE AND IMHOFF ROAD INTERSECTION IMPROVEMENTS PROJECT.

Councilmember Quinn moved that all bids meeting specifications be accepted; the bid in the amount of \$44,068 to RDNJ, Inc., d/b/a A-Tech Paving as the lowest and best bidder meeting specifications; Contract No. K-0910-30 and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; execution of the contract be authorized; and Resolution No. R-0910-20 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 12, continued:

Items submitted for the record

1. Memorandum dated July 20, 2009, from Bob Hanger, City Engineer, to Honorable Mayor and City Councilmembers
2. Bid tabulation dated July 16, 2009, for the Highway 9 and Imhoff Road Intersection Improvement Project
3. Contract No. K-0910-30
4. Performance Bond No. B-0910-13
5. Statutory Bond No. B-0910-14
6. Maintenance Bond No. MB-0910-7
7. Resolution No. R-0910-20
8. Purchase Requisition No. 0000160267 dated July 29, 2009, in the amount of \$44,068 to RDNJ, Inc.

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

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$44,068 was awarded to RDNJ, Inc., d/b/a A-Tech Paving as the lowest and best bidder meeting specifications; Contract No. K-0910-30 and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract was authorized; and Resolution No. R-0910-20 was adopted.

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Item 13, being:

CONSIDERATION OF A FINAL PLAT FOR GARDEN COTTAGES AT WEST BROOKS ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Quinn 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 Bond No. B-0910-21 subject to receipt of a fee in the amount of \$1,050 in lieu of park land dedication requirements, and the filing of the final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 22, 2009, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map
3. Aerial site map
4. Preliminary plat
5. Site plan
6. Final plat
7. Staff Report dated June 12, 2008, recommending approval
8. Pertinent excerpts from Board of Parks Commissioners minutes of July 3, 2003
9. Pertinent excerpts from Planning Commission minutes of June 12, 2008
10. Greenbelt Commission Comments dated June 4, 2008, from Brenda Wolf, Permit Tech II, to Rone Tromble, Admin Tech IV

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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the final plat approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and Subdivision Bond No. B-0910-21 subject to receipt of a fee in the amount of \$1,050 in lieu of parkland dedication requirements, and the filing of the final plat was directed.

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Item 14, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,000 FROM SAM’S CLUB FOUNDATION TO BE USED TO PURCHASE FIRE PREVENTION EDUCATIONAL MATERIALS FOR THE FIRE PREVENTION BUREAU.

Councilmember Quinn moved that a donation in the amount of \$1,000 from Sam’s Club Foundation to be used to purchase fire prevention materials for the Fire Prevention Bureau be accepted and Other/Fire Miscellaneous (010-0000-227.24-38) be increased by \$1,000, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated July 27, 2009, from James Fullingim, Fire Chief, to Honorable Mayor and City Council

and the question being upon accepting a donation in the amount of \$1,000 from Sam’s Club Foundation to be used to purchase fire prevention materials for the Fire Prevention Bureau and upon the subsequent increase, a vote was taken with the following result:

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

The Mayor declared the motion carried and a donation in the amount of \$1,000 from Sam’s Club Foundation to be used to purchase fire prevention materials for the Fire Prevention Bureau accepted; and Other/Fire Miscellaneous (010-0000-227.24-38) was increased by \$1,000.

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Item 15, being:

CONSIDERATION OF A REVOCABLE PERMIT TO OCCUPY STREET RIGHT-OF-WAY FOR NORMAN REGIONAL HEALTH SYSTEMS (NRHS) TO ALLOW CONSTRUCTION OF SIGNAGE, LANDSCAPING, AND MAINTENANCE OF A ROUNDABOUT LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF HEALTHPLEX PARKWAY FORMERLY KNOWN AS NORMAN REGIONAL PARKWAY.

Councilmember Quinn moved that a Revocable Permit to Occupy Street Right-of-Way on Healthplex Parkway formerly known as Norman Regional Parkway for Norman Regional Health Systems be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated July 29, 2009, from Shawn O’Leary, Director of Public Works, and Angelo Lombardo, Traffic Engineer, to the Honorable Mayor and Councilmembers
- 2. Revocable Permit to Occupy Street Right-of-Way for Norman Regional Hospital Authority and NRH Medical Park West, L.L.C., with Exhibit A, Legal Descriptions for Common Areas G, H, and I, dated June 10, 2009, and location map; Exhibit B, Exterior Signage Concepts; and Exhibit C, Roundabout Signing and Striping

and the question being upon approving a Revocable Permit to Occupy Street Right-of-Way on Healthplex Parkway formerly known as Norman Regional Parkway for Norman Regional Health Systems, a vote was taken with the following result:

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

The Mayor declared the motion carried and a Revocable Permit to Occupy Street Right-of-Way on Healthplex Parkway formerly known as Norman Regional Parkway for Norman Regional Health Systems was approved.

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Item 16, being:

CONSIDERATION OF THE ACCEPTANCE OF AN URBAN AREA SECURITY INITIATIVE GRANT FROM THE OFFICE OF HOMELAND SECURITY FOR A RADIO ASSEMBLY AND SPARE PARTS KIT FOR A HAZARDOUS DEVICES ROBOT VALUED AT \$65,798 TO BE USED BY THE POLICE DEPARTMENT.

Councilmember Quinn moved that a grant from the Oklahoma Office of Homeland Security for a radio assembly and spare parts kit for a Hazardous Devices Robot valued at \$65,798 to be used by the Police Department be accepted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 27, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
2. UASI Homeland Security Equipment Acknowledgements of Receipt/Acceptance No. 114.002 for one hybrid radio assembly and case valued at \$56,405 and one emergency spare parts kit valued at \$9,393

and the question being upon accepting a grant from the Oklahoma Office of Homeland Security for a radio assembly and spare parts kit for a Hazardous Devices Robot valued at \$65,798 to be used by the Police Department, a vote was taken with the following result:

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

The Mayor declared the motion carried and a grant from the Oklahoma Office of Homeland Security for a radio assembly and spare parts kit for a Hazardous Devices Robot valued at \$65,798 to be used by the Police Department was accepted.

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Item 17, being:

LIMITED LICENSE NO. 0910-1: LIMITED LICENSE TO PLACE ONE (1) GROUND BANNER WITHIN THE PUBLIC RIGHT-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY FAMILY YMCA FOR THE 8TH ANNUAL TIE-DYE TRI TO BE HELD SATURDAY, SEPTEMBER 26, 2009.

Councilmember Quinn moved that Limited License No. 0910-1 to place one (1) ground banner within the public right-of-way pursuant to a request from the Cleveland County Family YMCA be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 24, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. Application for Limited License dated July 13, 2009, for one banner from the Cleveland County Family YMCA
3. Limited License No. 0910-1

and the question being upon approving Limited License No. 0910-1 to place one (1) ground banner within the public right-of-way pursuant to a request from the Cleveland County Family YMCA and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Limited License No. 0910-1 to place one (1) ground banner within the public right-of-way pursuant to a request from the Cleveland County Family YMCA approved; and the issuance thereof was authorized.

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Item 18, being:

CONTRACT NO. K-0910-48: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SMC CONSULTING ENGINEERS, P.C., IN AN AMOUNT NOT-TO-EXCEED \$84,500 TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF THE ROCK CREEK ROAD AND 24TH AVENUE N.W. AND LEGACY PARK DRIVE AND 24TH AVENUE N.W. INTERSECTION IMPROVEMENTS AND BUDGET APPROPRIATIONS.

Councilmember Quinn moved that Contract No. K-0910-48 with SMC Consulting Engineers, P.C., in an amount not-to-exceed \$84,500 be approved, the execution thereof be authorized, and \$84,500 be appropriated from Project No. UT0099, UNP TIF Transportation Improvements, Construction (057-9510-431.61-01) to Project No. UT0005, UNP TIF 24th & Rock Creek Intersection, Design, (057-9536-431.62-01), \$45,000, and Project No. UT0006, UNP TIF Legacy Park Drive & 24th Intersection, Design (057-9537-451.62-01), \$39,500, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 23, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
2. Contract No. K-0910-48 with Exhibit "A", Scope of Services and Consultant's Project Understanding, Rock Creek Road and Legacy Park
3. Purchase Requisition No. 0000160491 dated August 5, 2009, in the amount of \$84,500 to SMC Consulting Engineers, P.C.

and the question being upon approving Contract No. K-0910-48 with SMC Consulting Engineers, P.C., in an amount not-to-exceed \$84,500 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No K-0910-48 with SMC Consulting Engineers, P.C., in an amount not-to-exceed \$84,500 approved; the execution thereof was authorized and \$84,500 was appropriated from Project No. UT0099, UNP TIF Transportation Improvements, Construction (057-9510-431.61-01) to Project No. UT0005, UNP TIF 24th & Rock Creek Intersection, Design, (057-9536-431.62-01), \$45,000, and Project No. UT0006, UNP TIF Legacy Park Drive & 24th Intersection, Design (057-9537-451.62-01), \$39,500.

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Item 19, being:

CONSIDERATION OF THE FOLLOWING CONTRACTS:

CONTRACT NO. K-0910-49: A RIGHT-OF-WAY AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CONOCO PHILLIPS PIPE LINE COMPANY, A DELAWARE CORPORATION, FOR PROPERTY LOCATED ON THE WEST SIDE OF NORTH INTERSTATE DRIVE IN CONNECTION WITH THE ROCK CREEK ROAD OVERPASS PROJECT.

CONTRACT NO. K-0910-50: A RIGHT-OF-WAY AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND OKLAHOMA NATURAL GAS COMPANY, A DIVISION OF ONEOK, INC., FOR PROPERTY LOCATED ON THE WEST SIDE OF INTERSTATE DROVE IN CONNECTION WITH THE ROCK CREEK ROAD OVERPASS PROJECT.

Councilmember Quinn moved that Contract No. K-0910-49, a right-of-way and encroachment agreement with Conoco Phillips Pipe Line Company, a Delaware Corporation, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 13, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Contract No. K-0910-49 with Exhibit A, Location Map, and Exhibit B, Conoco Phillips Pipe Line Company Encroachment Guidelines

Item 19, continued:

and the question being upon approving Contract No. K-0910-49, a right-of-way and encroachment agreement with Conoco Phillips Pipe Line Company, a Delaware Corporation, and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No K-0910-49, a right-of-way and encroachment agreement with Conoco Phillips Pipe Line Company, a Delaware Corporation, approved; and the execution thereof was authorized.

Thereupon, Councilmember Quinn moved that Contract No. K-0910-50, a right-of-way and encroachment agreement with Oklahoma Natural Gas Company, a Division of ONEOK, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 13, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Contract No. K-0910-50 with Exhibit A, Location Map, and Exhibit B, Protection of the Pipe Lines and Easements of Oklahoma Natural Gas Company

and the question being upon approving Contract No. K-0910-50, a right-of-way and encroachment agreement with Oklahoma Natural Gas Company, a Division of ONEOK, Inc., and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No K-0910-50, a right-of-way and encroachment agreement with Oklahoma Natural Gas Company, a Division of ONEOK, Inc., approved; and the execution thereof was authorized.

* * * * *

Item 20, being:

CONTRACT NO. K-0910-56: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER, L.L.C., IN THE AMOUNT OF \$205,000 TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF THE MAIN STREET BRIDGE OVER BROOKHAVEN CREEK.

Councilmember Quinn moved that Contract No. K-0910-56 with Garver, L.L.C., in the amount of \$205,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 22, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
2. Contract No. K-0910-56 with Attachment A, Scope of Services; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
3. Purchase Requisition No. 0000160508 dated August 6, 2009, in the amount of \$205,000 to Garver, L.L.C.

Item 20, continued:

and the question being upon approving Contract No. K-0910-56 with Garver, L.L.C., in the amount of \$205,000 and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No K-0910-56 with Garver, L.L.C., in the amount of \$205,000 approved; and the execution thereof was authorized.

* * * * *

Councilmember Quinn asked that he be allowed to abstain from voting on Item 21 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Quinn be allowed to abstain from voting on Item 21 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Quinn to abstain from voting on Item 21 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor declared the motion carried and Councilmember Quinn was allowed to abstain from voting on Item 21 due to a conflict of interest.

* * * * *

Item 21, being:

CONSIDERATION OF A REQUEST FOR FUNDING FROM THE CENTER FOR CHILDREN AND FAMILIES, INC., AND APPROVAL OF CONTRACT NO. K-0910-58 IN THE AMOUNT OF \$90,000.

Councilmember Quinn moved that reject Contract No. K-0910-58 with the Center for Children and Families, Inc., in the amount of \$90,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 30, 2009, from Anthony Francisco, Director of Finance, to Honorable Mayor and Councilmembers
2. Letter dated July 20, 2009, from Linda A. Terrell, MHR, Executive Director, Center for Children and Families, Inc., to Anthony Francisco, City of Norman
3. Contract No. K-0910-58
4. Purchase Order No. 175718 dated July 23, 2009, in the amount of \$90,000 to Center for Children and Families, Inc.

and the question being upon approving Contract No. K-0910-58 with the Center for Children and Families, Inc., in the amount of \$90,000 and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-0910-58 with the Center for Children and Families, Inc., in the amount of \$90,000 approved; and the execution thereof was authorized.

* * * * *

Item 22, being:

CONTRACT NO. K-0910-59: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RIEGER, L.L.C., TO ALLOW THE CITY OF NORMAN TO OPERATE A RECYCLING CENTER LOCATED AT 2417 WEST MAIN STREET.

Councilmember Quinn moved that Contract No. K-0910-59 with Rieger, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated July 29, 2009, from R. Blaine Nice, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to the Honorable Mayor and Councilmembers
- 2. Contract No. K-0910-59 with Exhibit A, location map

and the question being upon approving Contract No. K-0910-59 with Rieger, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0910-59 with Rieger, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

RESOLUTION NO. R-0910-10: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$20,000 FROM THE ROOM TAX FUND BALANCE TO BE USED BY THE NORMAN ARTS COUNCIL FOR THE ACQUISITION OF PUBLIC ART TO BE PLACED AT THE EAST MAIN STREET ROUNDABOUT.

Councilmember Quinn moved that Resolution No. R-0910-10 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated July 23, 2009, from Anthony Francisco, Finance Director, to Honorable Mayor and City Councilmembers
- 2. Letter of request dated July 22, 2009, from Rick Fry, Executive Director, Norman Arts Council, to Mr. Anthony Francisco, Director of Finance
- 3. Resolution No. R-0910-10

and the question being upon adopting Resolution No. R-0910-10, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution No. R-0910-10 was adopted.

* * * * *

Item 24, being:

RESOLUTION NO. R-0910-19: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXPRESSING SUPPORT FOR AN APPLICATION FOR GRANTS FOR TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY FUNDS (TIGER DISCRETIONARY GRANTS) FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION (US DOT).

Councilmember Quinn moved that Resolution No. R-0910-19 be adopted, the submission thereof be directed to US DOT through the Association of Central Oklahoma Governments, and the City Manager be authorized to sign all documents related thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated August 4, 2009, from Susan F. Connors, Director, Planning and Community Development, to the Honorable Mayor Cindy Rosenthal and Councilmembers
- 2. Resolution No. R-0910-19

and the question being upon adopting Resolution No. R-0910-19 and upon the subsequent directive and authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0910-19 adopted; the submission thereof was directed to US Dot through the Association of Central Oklahoma Governments and the City Manager was authorized to sign all documents related thereto.

* * * * *

Item 25, being:

RESOLUTION NO. R-0910-35: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CASTING A VOTE FOR AN OKLAHOMA MUNICIPAL RETIREMENT FUND TRUSTEE TO FILL THE EXPIRING TERM OF THE TRUSTEE-AT-LARGE.

Councilmember Quinn moved that Resolution No. R-0910-35 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Memorandum dated July 23, 2009, from Anthony Francisco, Finance Director/NERS Chair, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0910-35

and the question being upon adopting Resolution No. R-0910-35, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0910-35 was adopted.

* * * * *

Item 26, being:

RESOLUTION NO. R-0910-39: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING A CHANGE IN PROJECT SCOPE FROM THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) REGARDING THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Quinn moved that Resolution No. R-0910-39 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated August 3, 2009, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
2. Resolution No. R-0910-39

and the question being upon adopting Resolution No. R-0910-39, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-39 was adopted.

* * * * *

Item 27, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0809-3 FOR LOT 10A, BLOCK 5, BROOKHAVEN NO. 33 ADDITION. (505 MANOR HILL COURT)

Councilmember Quinn moved that Consent to Encroachment No. 0809-3 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated July 27, 2009, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Consent to Encroachment No. 0809-3
3. Registered Survey by Brad Kagan, L.S., 1389, Atlas Surveying Services
4. Letter of request dated January 14, 2009, from Mohammed Zulfikar to City of Norman
5. Memorandum dated July 28, 2009, from Doug Koscinski, AICP, Manager of Current Planning, to Brenda Hall, City Clerk
6. Memorandum dated July 15, 2009, from Ken Danner, Development Coordinator, to Blaine Nice, Assistant City Attorney
7. Memorandum dated February 6, 2009, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
8. Memorandum dated January 20, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
9. Location maps
10. Photographs of encroachments

and the question being upon approving Consent to Encroachment No. 0809-3 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Consent to Encroachment No. 0809-3 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 28, being:

CONTRACT NO. K-0809-149: AN AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE GOLDSBY WATER AUTHORITY TO SUPPLY POTABLE WATER TO THE TOWN OF GOLDSBY FOR A PERIOD OF TWENTY (20) YEARS.

Acting as the Norman Utilities Authority, Trustee Quinn having moved in Norman Utilities Authority’s meeting of June 9, 2009, that Contract No. K-0809-149 with the Goldsby Water Authority to supply potable water to the Town of Goldsby for a period of twenty years be approved, which motion having been duly seconded by Trustee Cubberley; Trustee Griffith moved that Contract No. K-0809-149, as amended, be substituted to be considered by City Council, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Memorandum dated July 28, 2009, from Kenneth Komiske, Director of Utilities, to Norman Utilities Authority
2. Contract No. K-0809-148 with Attachment A, location map
3. Pertinent excerpts from Finance Committee minutes of June 18, 2009
4. City Council Study Session minutes of July 21, 2009
5. Power Point presentation entitled, “Norman Utilities Authority Water Sales to Goldsby” dated July, 2009
6. Legislatively notated copy of Contract No. K-0809-148

and the question being upon substituting Contract No. K-0809-149, as amended, to be considered by City Council, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-0809-149, as amended, was substituted and considered by City Council.

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance
2. Mr. Ken Komiske, Director of Utilities
3. Ms. Kathryn Walker, Assistant City Attorney
4. Mr. Jeff Bryant, City Attorney
5. Mr. Richard Stawicki, 2614 South Berry Road, protestant
6. Mr. Charles Schindler, 2000 Morgan Drive, protestant
7. Mr. Bobby Stevens, 3801 108th Avenue S.E., protestant
8. Mr. Jim Stanley, 3922 Pinetree Circle, made comments
9. Mr. Mark Campbell, 2821 Dewey Avenue, made comments
10. Ms. Ellen Frank, 211 East Daws Street, asked questions
11. Ms. Jeanette Coker, 620 East Main Street, asked questions
12. Mr. Steve Reynolds, 300 Merkle Drive, made comments
13. Ms. Leann Clements, 9401 Benny Bruce, made comments
14. Mr. Steven Tyler Holman, 783 DeBarr Avenue, protestant
15. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
16. Ms. Mary Francis, 850C Cardinal Creek Condos, asked questions
17. Ms. Jayne Crumpley, 423 Elm Avenue, asked questions

the question being upon approving Contract No. K-0809-149, as amended, vote was taken with the following result:

YEAS:	None
NAYES:	Trustees Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

The Chairman declared the motion failed and Contract No. K-0809-149, as amended, was not approved.

Item 29, being:

RESOLUTION NO. R-0910-28: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A TEMPORARY ADMINISTRATIVE DELAY FOR A PERIOD OF TWELVE (12) MONTHS ON THE ACCEPTANCE OF ALL APPLICATIONS FOR BUILDING, DEMOLITION, PAVING, PLATTING, AND REZONING ACTIVITIES IN THE PORTER AVENUE CORRIDOR PROJECT AREA; DECLARING POSSIBLE EXCEPTIONS; DECLARING A PROCEDURE FOR ADMINISTRATIVE REVIEW AND APPEALS PROCESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach having moving in City Council's meeting of July 14, 2009, that Resolution No. R-0809-129 be adopted, which motion was having been duly seconded by Councilmember Griffith, Councilmember Cubberley moved that Resolution No. R-0910-28, as amended, be substituted to be considered by City Council; which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Memorandum dated August 4, 2009, from Susan F. Connors, Director, Planning and Community Development, to the Honorable City Rosenthal and Councilmembers
2. Resolution No. R-0910-28 with Exhibit A, location map; Exhibit B, Porter Corridor Project Area, Affected Permit Table; and Exhibit C, Porter Corridor Timeline
3. Pertinent Excerpts from City Council minutes of July 14, 2009
4. Legislatively notated copy of Resolution No. R-0910-28 with Exhibit A, location map, and Exhibit B, Porter Corridor Project Area, Affected Permit Table

and the question being upon substituting Resolution No. R-0910-28, as amended, to be considered by City Council, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-28, as amended, was substituted to be considered by City Council.

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Harold Heiple, 218 East Eufaula Street, made comments
3. Ms. Jeanette Coker, 620 East Main Street, asked questions
4. Mr. Jim Gasaway, Chairman of the Porter Corridor Stakeholder Committee, proponent
5. Ms. Ellen Frank, 211 East Daws Street, proponent
6. Mr. Zev Trachtenberg, Member of the Porter Corridor Stakeholder Committee, proponent
7. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Dillingham moved that Resolution No. R-0910-28, as amended, be further amended to add the following language:

* * *

§18. WHEREAS, it is anticipated that certain public improvements will be recommended to be accomplished in furtherance of the Porter Corridor Plan and that funding sources to accomplish those public improvements will need to be identified.

* * *

§27. That the Council adopts the Porter Corridor Timeline ("Timeline") appearing as Exhibit C, and at its meeting of April 27, 2010, shall review progress toward completion of the Porter Corridor Plan, the Porter Corridor Overlay District, and the Porter Corridor Design Guidelines as outlined in the Timeline. In addition to reviewing progress toward completion of the tasks outlined in the Timeline, Council shall also hear proposals for funding the implementation of public improvements identified by the Porter Corridor Plan. If Council determines that progress on the tasks outlined in the Timeline is insufficient or that funding options for the public improvements are not feasible, then lifting the administrative delay on permits within the Porter Corridor Area shall be considered by Council at that time.

* * *

Item 29, continued:

which motion was duly seconded by Councilmember Kovach,

Participants in discussion

1. Ms. Sherylann Densow, 2925 Redwood Drive, asked questions
2. Ms. Susan Connors, Director of Planning Community Development

and the question being upon further amending Resolution No. R-0910-28, as amended, as stated above, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-28, as amended, was further amended as stated above.

and the question being upon adopting Resolution No. R-0910-28, as further amended, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Dillingham, Griffith, Quinn, Mayor Rosenthal

NAYES: Councilmembers Cubberley, Ezzell, and Kovach

The Mayor declared the motion carried and Resolution No. R-0910-28, as further amended, was adopted.

* * * * *

Item 30, being:

CONSIDERATION OF BID NO. 0809-97; CONTRACT NO. K-0809-158; CHANGE ORDER NO. ONE DECREASING THE CONTRACT AMOUNT BY \$16,400; PERFORMANCE BOND NO. B-0809-74, STATUTORY BOND NO. B-0809-75, MAINTENANCE BOND NO. MB-0809-68; AND RESOLUTION NO. R-0809-158 FOR THE FYE 2009 SPEED TABLE CONSTRUCTION PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$187,600 be awarded to Nash Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-158, Change Order No. One decreasing the contract amount by \$16,400 for an amended contract amount of \$171,200, and the performance, statutory, and maintenance bonds be approved; the filing of the bonds be directed; execution of the contract and change order be authorized; and Resolution No. R-0809-158 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated July 20, 2009, from Michael D. Rayburn, Assistant City Traffic Engineer, to Honorable Mayor and City Council
2. Bid record dated June 15, 2009, for the FYE 2009 Speed Table Construction
3. Contract No. K-0809-158
4. Change Order No. One to Contract No. K-0809-158
5. Performance Bond No. B-0809-74
6. Statutory Bond No. B-0809-75
7. Maintenance Bond No. MB-0809-68
8. Resolution No. R-0809-158
9. Purchase Requisition No. 0000158302 dated June 17, 2009, in the amount of \$171,200
10. Petition dated August 10, 2009, withdrawing support of Petition for Traffic Calming Project relating to Merkle Drive containing eight signatures
11. Petition dated August 11, 2009, withdrawing support of Petition for Traffic Calming Project relating to Merkle Drive containing one signature
12. Petition dated August 11, 2009, withdrawing support of Petition for Traffic Calming Project relating to Merkle Drive containing two signatures
13. Memorandum dated August 11, 2009, from Steve Lewis, City Manager, to Mayor and Council

Item 30, continued:

Participants in discussion

1. Mr. Angelo Lombardo, City Traffic Engineer
2. Ms. Donna Brown, 1222 West Brooks Street, proponent
3. Ms. Jeanette Coker, 620 East Main Street, protestant
4. Ms. Anne Gallagher, 1522 East Main Street, proponent
5. Mr. Steve Reynolds, 300 Merkle Drive, made comments
6. Mr. Steven Tyler Holman, 783 DeBarr Avenue, protestant
7. Mr. Andrew Flagg, 4201 Brookfield Drive, proponent
8. Mr. Quinn Arana, 2014 Virginia Street, proponent
9. Ms. Amanda Harvey, 1224 West Brooks Street, proponent

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

YEAS: Councilmembers Atkins, Cubberley, Dillingham, Griffith, Quinn, Mayor Rosenthal

NAYES: Councilmembers Ezzell and Kovach

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$187,600 was awarded to Nash Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-0809-158, Change Order No. One decreasing the contract amount by \$16,400 for an amended contract amount of \$171,200, and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract and change order was authorized; and Resolution No. R-0910-158 was adopted.

* * * * *

MISCELLANEOUS DISCUSSION

Traffic Calming. Ms. Anne Gallagher, 1522 East Boyd Street, said seven neighborhoods will be receiving speed humps, five of which had a school nearby. She said when she was a teacher she had experienced children being struck by automobiles and that citizens should support any safety measures that are provided.

Mr. Quinn Arana, 2014 Virginia Street, said he had been waiting for a solution to the speeding problem in residential areas and was open for other solutions besides speed humps.

*

Frontage Road Study. Mr. Steven Tyler Holman, 783 DeBarr Avenue, said he had looked at the area behind University North Park and supports the current two-way design of the I-35 Frontage Road on the east side with a center left turn lane rather than making it one-way because it was the safest alternative.

*

Porter Corridor Paving. Mr. Steven Tyler Holman, 783 DeBarr Avenue, asked if the Porter Corridor Administrative Delay would affect the stimulus project to repave Porter Avenue from Robinson Street to Lindsey Street.

Mayor Rosenthal said the project would not be affected and the resurfacing project will proceed as scheduled.

*

Stimulus Projects. Mr. Steven Tyler Holman, 783 DeBarr Avenue, asked if any of the resurfacing projects listed in the stimulus package would be eliminated. He said if there have been changes, the web page for the City should be updated.

Mayor Rosenthal said several had been eliminated and the money has been redirected to the Robinson Street Grade Separation Project. She said Mr. Shawn O'Leary, Director of Public Works, could provide that information. She said the web page had recently been updated to reflect the new information.

*

Miscellaneous Discussion, continued:

Code Violation. Ms. Donna Barnard, 1532 High Trail, said a carport had been constructed on her property six years ago and she had received a letter from the City saying the carport was in violation and would need to be taken down within thirty days. She said she had tried to resolve the issue but was receiving conflicting information from City Staff. She said she would like to work out a solution so the carport would not have to be removed.

Items submitted for the record

1. Letter to Mayor Rosenthal and members of the Norman City Council from Donna and Vint Barnard
2. Photographs of carport
3. Petition of no objection containing 38 signatures
4. Letter dated May 20, 2009, from Kelvin W. Winter, Code Compliance Inspector, to Vint M. and Donna S. Barnard
5. Sections 5-401 and 5-404 of the City of Norman Code of Ordinances

Ms. Susan Connors, Director of Planning and Community Development, said she has been working on this issue and would submit all findings after a complete investigation has been conducted.

Mayor Rosenthal asked Ms. Barnard to meet with Ms. Connors immediately following tonight's meeting to discuss the issue.

*

Speedy Recovery to Councilmember Dillingham. Councilmember Quinn wished a speedy recovery to Councilmember Dillingham.

*

Shop Norman. Councilmember Quinn encouraged citizens to "Shop Norman."

*

National Night Out. Councilmember Griffith thanked Detective Laird and Officer Bruehl for providing transportation for his wife and himself last Tuesday during the National Night Out activities in Ward 6. He said there were ten opportunities to attend Ward Six neighborhood meetings and they had not been able to attend all of them. He said there was a lot of participation and citizens expressing concerns and issues and thanked his ward for being so active and involved during National Night Out.

Councilmember Dillingham apologized to Ward Four for her inability to attend National Night Out but she had been delayed coming home from Michigan.

Councilmember Ezzell extended appreciation to Officers Anderson and Fletcher who escorted him during the National Night Out festivities. He said there were six Ward Three events and he apologized to the three neighborhoods he was unable to attend.

Councilmember Atkins thanked the Fire Department, the Cleveland County Sheriff, and the District Attorney's Office for volunteering their time during National Night Out. He said six neighborhoods in Ward One had participated.

*

Councilmember Butler's Illness. Mayor Rosenthal announced that Councilmember Butler was ill this evening and had stayed home.

*

Students Returning. Councilmember Dillingham said all students would be returning to school very soon and urged citizens to observe school zones and speed limits.

*

TIGER Grants. Councilmember Kovach thanked the Mayor for her leadership by representing the City of Norman on the TIGER Grant application. He said this was a very exciting opportunity for Central Oklahoma to provide commuter rail from Norman to Edmond and then to Tinker Air Force Base. He said if the grant is successful, it will not only add convenience but also an economic opportunity.

Miscellaneous Discussion, continued:

Parks Master Plan. Mayor Rosenthal reminded citizens that a presentation of the Parks Master Plan would be held Wednesday, August 12, 2009, at the Norman High School Commons. She said there would be an Open House from 5:00 p.m. to 7:00 p.m. and the presentation by the consultant would be from 7:00 p.m. to 8:00 p.m. She said it was a great opportunity for citizens to provide feedback about this important process.

*

Bicycle Safety. Mayor Rosenthal thanked citizens for the overwhelming response to Councilmember Kovach’s remarks last Council meeting about bicycle safety and bicycle lanes on City streets in Norman. She said citizens supported bicycles as an important transportation alternative and the issue would be discussed in the City Council retreat later this month.

*

Sports Illustrated Magazine. Mayor Rosenthal announced that Andrew Lewis who is a Lineman for the Oklahoma State University Football Team and is also the son of Steve Lewis, City Manager, is on the cover of the most recent Sports Illustrated which is quite an accomplishment.

* * * * *

ADJOURNMENT

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

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

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 10:45 p.m.

ATTEST:

City Clerk

Mayor