

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

July 27, 2010

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 27th day of July, 2010, 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 Girl Scout Daisy Troop No. 3311 from Kennedy Elementary School.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 46 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 46, 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 46 were placed on the consent docket by unanimous vote.

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Item 4, being:

CITY COUNCIL STUDY SESSION MINUTES OF JUNE 29, 2010
CITY COUNCIL SPECIAL SESSION MINUTES OF JULY 13, 2010
CITY COUNCIL MINUTES OF JULY 13, 2010
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 13, 2010
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 13, 2010
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 13, 2010

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

Items submitted for the record

1. City Council Study Session minutes of June 29, 2010
2. City Council Special Session minutes of July 13, 2010
3. City Council minutes of July 13, 2010
4. Norman Utilities Authority minutes of July 13, 2010
5. Norman Municipal Authority minutes of July 13, 2010
6. Norman Tax Increment Finance Authority minutes of July 13, 2010

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

Item 4, continued:

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 ZONING ORDINANCE NO. ZO-0910-4 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE I-1, LIGHT INDUSTRIAL DISTRICT, AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (910 NORTH LAHOMA AVENUE)

Councilmember Kovach moved that Zoning Ordinance No. ZO-0910-4 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. ZO-0910-4 dated May 18, 2010
2. Zoning Ordinance No. ZO-0910-4 with Exhibit A, site development plan
3. Location map
4. Staff Report dated June 10, 2010, recommending approval
5. Pertinent excerpts from Planning Commission minutes of June 10, 2010

and the question being upon the Introduction and adoption of Zoning Ordinance No. ZO-0910-4 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 Zoning Ordinance No. ZO-0910-4 was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1011-1 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 19-202(B) AND (C) OF CHAPTER 19 OF THE CODE OF THE CITY OF NORMAN, OKLAHOMA, BY INCREASING THE RATES FOR FILING FEES FOR PLATS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-1 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. O-1011-1 dated June 15, 2010
2. Staff report dated July 8, 2010, recommending approval
3. Ordinance No. O-1011-1
4. Legislatively notated copy of Ordinance No. O-1011-1
5. Pertinent excerpts from Planning Commission minutes of July 8, 2010

Item 6, continued;

and the question being upon the Introduction and adoption of Ordinance No. O-1011-1 upon First Reading by title, 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 Ordinance No. O-1011-1 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1011-2 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO ADD A SECTION 429.6 CREATING A ZONING OVERLAY DISTRICT FOR THE PORTER AVENUE CORRIDOR; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-2 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. O-1011-2 dated June 15, 2010
2. Staff report dated July 8, 2010, recommending approval
3. Ordinance No. O-1011-2 with Exhibit A, Porter Overlay District location map
4. Pertinent excerpts from Planning Commission minutes of July 8, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-2 upon First Reading by title, 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 Ordinance No. O-1011-2 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JUNE 30, 2010, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Finance Director's Investment Report of June 30, 2010

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 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE, 2010, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Monthly Departmental Reports for the month of June, 2010

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

NAYES: None

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

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Item 10, being:

SUBMISSION OF A FINAL REPORT FROM THE ENFORCEMENT AUTHORITY.

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

Items submitted for the record

1. Final Report from the Enforcement Authority with attached Ordinance No. O-1011-4 and legislatively notated copy of Ordinance O-1011-4
2. Enforcement Authority minutes of January 13, 2010; January 20, 2010; February 26, 2010; March 1, 2010; March 8, 2010; April 5, 2010; July 9, 2010; and July 14, 2010

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

NAYES: None

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

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Item 11, being:

SUBMISSION OF THE AMENDED NORMAN REGIONAL HOSPITAL 2011 BUDGET.

Councilmember Kovach moved that receipt of the amended Norman Regional Hospital 2011 Budget be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Letter dated June 30, 2010, from Ken Hopkins, Vice President of Finance and Chief Financial Officer, Norman Regional Health Services, to Mr. Steve Lewis, City Manager
2. Norman Regional Health System Budget FY 2011 Budget Presentation
3. Norman Regional Health System Fiscal Year Ending June 30, 2011, Budget
4. Pertinent excerpts from City Council minutes of May 25, 2010

Item 11, continued:

and the question being upon acknowledging receipt of the amended Norman Regional Hospital 2011 Budget 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 receipt of the amended Norman Regional Hospital 2011 Budget acknowledged; and the filing thereof was directed.

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Item 12, being:

CONSIDERATION OF PAYMENT OF FYE 2011 DUES ASSESSMENT IN THE AMOUNT OF \$72,375 TO THE OKLAHOMA MUNICIPAL LEAGUE (OML) FOR THE PERIOD OF JULY 1, 2010, THROUGH JUNE 30, 2011.

Councilmember Kovach moved to approve payment of FYE 2011 dues assessment in the amount of \$72,375 to the Oklahoma Municipal League through June 30, 2011, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Oklahoma Municipal League 2010-2011 Service Fees for Norman
2. Invoice No. 019830 dated July 1, 2010, from the Oklahoma Municipal League in the amount of \$72,375
3. Oklahoma Municipal League benefits of membership

and the question being upon approving payment of FYE 2011 dues assessment in the amount of \$72,375 to the Oklahoma Municipal League through June 30, 2011, 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 payment of FYE 2011 dues assessment in the amount of \$72,375 to the Oklahoma Municipal League through June 30, 2011 was approved.

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Item 13, being:

CONSIDERATION AND AWARDED OF BID NO. BID-0910-61 TO RED CLIFF, INC., IN THE AMOUNT OF \$3,171,711 FOR THE RAW WATER LINE PROJECT, PHASE I.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$3,171,711 be awarded to Red Cliff, Inc., as the lowest and best bidder meeting specifications; the Chairman be authorized to sign Contract No. K-0910-172, Performance Bond No. B-0910-63, Statutory Bond No. B-0910-64, and Maintenance Bond No. MB-0910-62 contingent upon the City Attorney's approval and the Norman Utilities Authority be authorized as part of the contract to pay subcontractors for equipment and supplies in an approximate amount of \$3,171,711 for the Raw Water Line Project, Phase I, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Text File No. K-0910-172 dated July 9, 2010
2. Bid tabulation dated June 4, 2010, for the Norman Raw Waterline, Phase I
3. Letter dated June 30, 2010, from S. Shane Smith, P.E., Project Manager, Garver, L.L.C., to Mr. Chris Mattingly, P.E., Utilities Superintendent

Item 13, continued:

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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$3,171,711 was awarded to Red Cliff, Inc., as the lowest and best bidder meeting specifications; and the Chairman was authorized to sign Contract No. K-0910-172, Performance Bond No. B-0910-63, Statutory Bond No. B-0910-64, and Maintenance Bond No. MB-0910-62 contingent upon the City Attorney's approval and the Norman Utilities Authority as part of the contract was authorized to pay subcontractors for equipment and supplies in an approximate amount of \$3,171,711 for the Raw Water Line Project, Phase I.

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Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 0910-70 FOR THE FYE 2010 TRAFFIC CALMING CONSTRUCTION; APPROVAL OF CONTRACT NO. K-0910-180 WITH RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF \$140,325; CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-180 DECREASING THE CONTRACT AMOUNT BY \$43,775; PERFORMANCE BOND NO. B-0910-72, STATUTORY BOND NO. B-0910-73, AND MAINTENANCE BOND NO. MB-0910-71; AND RESOLUTION NO. R-0910-124 DESIGNATING RUDY CONSTRUCTION COMPANY AS PROJECT AGENT FOR THE CITY OF NORMAN.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$140,325 be awarded to Rudy Construction Company as the lowest and best bidder meeting specifications; Contract No. K-0910-180, Change Order No. One decreasing the contract amount by \$43,775, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No. R-0910-124 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-0910-180 dated June 8, 2010
2. Bid Record dated June 3, 2010, for the FYE 2010 Traffic Calming Project
3. Contract No. K-0910-180
4. Change Order No. One to Contract No. K-0910-180
5. Performance Bond No. B-0910-72
6. Statutory Bond No. B-0910-73
7. Maintenance Bond No. MB-0910-71
8. Resolution No. R-0910-124
9. City Council Oversight Committee minutes of July 14, 2010
10. Purchase Requisition No. 0000173868 dated July 20, 2010, in the amount of \$96,550 to Rudy Construction Company

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 \$140,325 was awarded to Rudy Construction Company as the lowest and best bidder meeting specifications; Contract No. K-0910-180, Change Order No. One decreasing the contract amount by \$43,775, 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-0910-124 was adopted.

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Item 15, being:

CONSIDERATION AND AWARDING OF BID NO. 0910-72 FOR CARBON DIOXIDE FOR THE WATER TREATMENT PLANT AND WATER WELL NO. 31.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$124 per ton for the Water Treatment Plant and \$380 per ton for Water Well No. 31 be awarded to Air Gas MidSouth, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Text File No. BID-0910-72 dated July 9, 2010
- 2. Bid tabulation dated June 10, 2010, for Carbon Dioxide (Bulk)

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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$124 per ton for the Water Treatment Plant and \$380 per ton for the Water Well No. 31 was awarded to Air Gas MidSouth, Inc., as the lowest and best bidder meeting specifications.

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Item 16, being:

CONSIDERATION AND AWARDING OF BID NO. 0910-73 FOR QUICK LIME FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$152 per ton be awarded to U.S. Lime and Minerals, Inc., as the lowest and best bidder meeting specifications, Texas Lime Company in the amount of \$155 per ton as the first alternate bidder, and Mississippi Lime Company in the amount of \$221 per ton as the second alternate bidder, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Text File No. BID-0910-73 dated July 9, 2010
- 2. Bid tabulation dated June 10, 2010, for Quick Lime

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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$152 per ton was awarded to U.S. Lime and Minerals, Inc., as the lowest and best bidder meeting specifications, Texas Lime Company in the amount of \$155 per ton as the first alternate bidder, and Mississippi Lime Company in the amount of \$221 per ton as the second alternate bidder.

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Item 17, being:

CONSIDERATION OF BID NO. 1011-4, CONTRACT NO. K-1011-7 WITH CENTRAL CONTRACTING SERVICES, INC., IN THE AMOUNT OF \$70,000; PERFORMANCE BOND NO. B-1011-7; STATUTORY BOND NO. B-1011-8, AND MAINTENANCE BOND NO. MB-1011-4 FOR THE FYE 2010 BROOKHAVEN CREEK IMPROVEMENT PROJECT, PHASE I, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$70,000 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-7 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; Resolution No. R-1011-1 be adopted; and \$105,000 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. DR0010, Brookhaven Creek Improvement Project-Robinson to Crossroads, Construction (050-9968-431.61-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-7 dated July 13, 2010
2. Location map
3. Tabulation of bids dated July 8, 2010, for the FYE 2010 Brookhaven Creek Improvement Project, Phase I
4. Contract No. K-1011-07
5. Performance Bond No. B-1011-7
6. Statutory Bond No. B-1011-8
7. Maintenance Bond No. MB-1011-4
8. Resolution No. R-1011-1
9. Purchase Requisition No. 0000173907 dated July 21, 2010, in the amount of \$70,000 to Central Contracting Services, Inc.

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, adoption, 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 all bids meeting specifications accepted; the bid in the amount of \$70,000 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-7 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; Resolution No. R-1011-1 was adopted; and \$105,000 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. DR0010, Brookhaven Creek Improvement Project-Robinson to Crossroads, Construction (050-9968-431.61-01).

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Item 18, being:

CONSIDERATION OF ACCEPTANCE OF PERMANENT UTILITY EASEMENT NO. E-1011-01 DONATED BY KAREN AND RICHARD BRIGHT IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Councilmember Kovach moved that Easement No. E-1011-01 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. E-1011-01 dated July 9, 2010
2. List of easements, grantors, and costs for the Raw Water Line Project
3. Easement No. E-1011-01
4. Location map

Item 18, continued:

and the question being upon accepting Easement No. E-1011-01 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 Easement No. E-1011-01 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 19, being:

CONSIDERATION OF ACCEPTANCE OF PERMANENT UTILITY EASEMENT NO. E-1011-02 DONATED BY KAREN AND RICHARD BRIGHT IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Councilmember Kovach moved that Easement No. E-1011-02 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. E-1011-02 dated July 9, 2010
- 2. List of easements, grantors, and costs for the Raw Water Line Project
- 3. Easement No. E-1011-02
- 4. Location map

and the question being upon accepting Easement No. E-1011-02 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 Easement No. E-1011-02 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 20, being:

CONSIDERATION OF ACCEPTANCE OF PERMANENT UTILITY EASEMENT NO. E-1011-03 DONATED BY KAREN AND RICHARD BRIGHT IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Councilmember Kovach moved that Easement No. E-1011-03 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. E-1011-03 dated July 9, 2010
- 2. List of easements, grantors, and costs for the Raw Water Line Project
- 3. Easement No. E-1011-03
- 4. Location map

Item 20, continued:

and the question being upon accepting Easement No. E-1011-03 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 Easement No. E-1011-03 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 21, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY UTILITY EASEMENT NO. E-1011-04 FROM KAREN AND RICHARD BRIGHT IN THE AMOUNT OF \$17,761 IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Acting as the City Council and the Norman Utilities Authority, Councilmember Kovach moved that Easement No. E-1011-4 be accepted, the filing thereof with the Cleveland County Clerk and payment in the amount of \$17,761 for the easement be directed, and \$6,394 be transferred from Project No. WB0051, Construction (031-9356-462.61-01) to Project No. WB0051, Right-of-Way (031-9356-462.60-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. E-1011-04 dated July 9, 2010
2. List of easements, grantors, and costs for the Raw Water Line Project
3. Easement No. E-1011-04
4. Location map

and the question being upon accepting Easement No. E-1011-04 and upon the subsequent directive and transfer, 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 Easement No. E-1011-04 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$17,761 for the easement were directed and \$6,394 was transferred from Project No. WB0051, Construction (031-9356-462.61-01) to Project No. WB0051, Right-of-Way (031-9356-462.60-01).

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Item 22, being:

CONSIDERATION OF ACCEPTANCE OF PERMANENT UTILITY EASEMENT NO. E-1011-05 DONATED BY HAROLD E. GRIFFIN IN CONNECTION WITH THE RAW WATER LINE PROJECT

Councilmember Kovach moved that Easement No. E-1011-05 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. E-1011-05 dated July 9, 2010
2. List of easements, grantors, and costs for the Raw Water Line Project
3. Easement No. E-1011-05
4. Location map

Item 22, continued:

and the question being upon accepting Easement No. E-1011-05 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 Easement No. E-1011-05 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 23, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY UTILITY EASEMENT NO. E-1011-06 FROM HAROLD E. GRIFFIN IN THE AMOUNT OF \$3,600 IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Acting as the City Council and the Norman Utilities Authority, Councilmember Kovach moved that Easement No. E-1011-06 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$3,600 for the easement be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. E-1011-06 dated July 9, 2010
- 2. List of easements, grantors, and costs for the Raw Water Line Project
- 3. Easement No. E-1011-06
- 4. Location map

and the question being upon accepting Easement No. E-1011-06 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 Easement No. E-1011-06 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of \$3,600 for the easement were directed.

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Item 24, being:

CONSIDERATION OF ACCEPTANCE OF PERMANENT UTILITY EASEMENT NO. E-1011-07 DONATED BY PATRICK J. AND BARBARA A. BRUEHL IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Councilmember Kovach moved that Easement No. E-1011-07 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. E-1011-07 dated July 9, 2010
- 2. List of easements, grantors, and costs for the Raw Water Line Project
- 3. Easement No. E-1011-07
- 4. Location map

and the question being upon accepting Easement No. E-1011-07 and upon the subsequent directive, a vote was taken with the following result:

Item 24, continued:

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 easement accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 25, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY UTILITY EASEMENT NO. E-1011-08 FROM PATRICK J. AND BARBARA A. BRUEHL IN THE AMOUNT OF \$5,955 IN CONNECTION WITH THE RAW WATER LINE PROJECT.

Acting as the City Council and the Norman Utilities Authority, Councilmember Kovach moved that Easement No. E-1011-08 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$5,955 for the easement be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. E-1011-08 dated July 9, 2010
- 2. List of easements, grantors, and costs for the Raw Water Line Project
- 3. Easement No. E-1011-08
- 4. Location map

and the question being upon accepting Easement No. E-1011-08 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 Easement No. E-1011-08 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of \$5,595 for the easement were directed.

* * * * *

Item 26, being:

CONSIDERATION OF APPROVAL OF A REQUEST FOR A VARIANCE OF THE LOCATION OF SIDEWALK IMPROVEMENTS FOR COVENANT DEVELOPMENT ADDITION AND ACCEPTANCE OF PUBLIC UTILITY EASEMENT NO. E-1011-11 FROM JOURNEY COVENANT CHURCH.

Councilmember Kovach moved that a request for a variance of the location of sidewalk improvements for Covenant Development Addition be approved, Easement No. E-1011-11 be accepted, and the filing thereof with the Cleveland County Clerk and the installation of sidewalks be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. TMP-67 dated July 15, 2010
- 2. Item summary
- 3. Location map
- 4. Journey Parkway – Sidewalk Project
- 5. Easement No. E-1011-11 with Exhibit A, Legal description 10' Sidewalk Easement Covenant Development Addition and location map
- 6. Letter dated March 26, 2010, from Tom L. McCaleb, P.E., SMC Consulting Engineer, P.C., to Mr. Shawn O'Leary, Director of Public Works

Item 26, continued:

and the question being upon the approving a request for a variance of the location of sidewalk improvements for Covenant Development Addition and upon the subsequent acceptance 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 a request for a variance of the location of sidewalk improvements for Covenant Development Addition approved; Easement No. E-1011-11 was accepted and the filing thereof with the Cleveland County Clerk and the installation of sidewalks were directed.

* * * * *

Item 27, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,500 FROM THE OEC FOUNDATION TO BE USED TO PURCHASE CHILD PASSENGER SAFETY SEATS FOR THE POLICE DEPARTMENT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a donation in the amount of \$1,500 from the OEC Foundation to be used to purchase child passenger safety seats for the Police Department be accepted, General Fund, Citizen Contributions (010-0000-365.13-72) be increased by \$1,500, and \$1,500 be appropriated to Other Supplies/Materials – Child Car Seats (010-6022-421.31-25), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-53 dated July 9, 2010

and the question being upon accepting a donation in the amount of \$1,500 from the OEC Foundation to be used to purchase child passenger safety seats for the Police Department and upon the subsequent increase 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 a donation in the amount of \$1,500 from the OEC Foundation to be used to purchase child passenger safety seats for the Police Department accepted; General Fund, Citizen Contributions (010-0000-365.13-72) was increased by \$1,500 and \$1,500 was appropriated to Other Supplies/Materials – Child Care Seats (010-6022-441.31-25).

* * * * *

Item 28, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$3,000 FROM THE CITIZENS HUMANE COMMISSION TO BE USED FOR PERIMETER FENCING BY THE CITY OF NORMAN ANIMAL WELFARE CENTER.

Councilmember Kovach moved that a donation in the amount of \$3,000 from the Citizens Humane Commission to be used for perimeter fencing by the City of Norman Animal Welfare Center be accepted, General Fund, Citizen Contributions (010-0000-365.13-72) be increased by \$3,000, and \$3,000 be appropriated to Maintenance and Repairs Services/Buildings and Facilities (010-6070-441.42-10), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-55 dated July 14, 2010

Item 28, continued:

and the question being upon accepting a donation in the amount of \$3,000 from the Citizens Humane Commission to be used for perimeter fencing by the City of Norman Animal Welfare Center and upon the subsequent increase 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 a donation in the amount of \$3,000 from the Citizens Humane Commission to be used for perimeter fencing by the City of Norman Animal Welfare Center accepted; General Fund, Citizen Contributions (010-0000-365.13-72) was increased by \$3,000 and \$3,000 was appropriated to Maintenance and Repairs Services/Buildings and Facilities (010-6070-441.42-10).

* * * * *

Item 29, being:

CONSIDERATION OF THE ACCEPTANCE OF AN ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF \$230,849 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY ADMINISTERED THROUGH THE UNITED STATES FIRE ADMINISTRATION TO BE USED BY THE FIRE DEPARTMENT TO REPLACE OBSOLETE MOBILE AND HANDHELD RADIOS.

Councilmember Kovach moved that a grant in the amount of \$230,849 from the Federal Emergency Management Agency and the Department of Homeland Security administered through the United States Fire Administration to be used by the Fire Department to replace obsolete mobile and handheld radios be accepted, Other Revenue/FEMA – Firefighter Assistance (022-0000-331.13-42) be increased by \$230,849 and \$230,849 be appropriated to Project No. GF0063, Firefighter Assistance-Radio Communications Equipment/Mobile Radios (022-6449-422.54-04), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-56 dated July 12, 2010
2. Letter dated February 5, 2010, from Timothy W. Manning, Deputy Administrator for National Preparedness and Protection, U.S. Department of Homeland Security/FEMA, to Chief James Fullingim, Norman Fire Department
3. Assistance to Firefighters Grant Program Agreement

and the question being upon accepting a grant in the amount of \$230,849 from the Federal Emergency Management Agency and the Department of Homeland Security administered through the United States Fire Administration to be used by the Fire Department to replace obsolete mobile and handheld radios and upon the subsequent increase 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 a grant in the amount of \$230,849 from the Federal Emergency Management Agency and the Department of Homeland Security administered through the United States Fire Administration to be used by the Fire Department to replace obsolete mobile and handheld radios accepted; Other Revenue/FEMA – Firefighter Assistance (022-0000-331.13-42) was increased by \$230,849 and \$230,849 was appropriated to Project No. GF0063, Firefighter Assistance-Radio Communications Equipment/Mobile Radios (022-6449-422.54-04).

* * * * *

Item 30, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$173,870.75 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR WINTER ICE STORM DAMAGE DURING JANUARY 2010.

Councilmember Kovach moved that reimbursement of funds in the amount of \$173,870.75 from the Federal Emergency Management Agency for winter ice storm damage during January 2010, be approved and Other Revenue/FEMA Reimbursements (010-0000-334.13-28) be increased by \$173,870.75, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. OK-DR-1883 dated July 7, 2010
2. Check No. 101323635 dated June 24, 2010, from the State of Oklahoma, State Treasury, in the amount of \$173,870.75
3. Project Worksheet No. NORSDOZ dated June 2, 2010

and the question being upon reimbursement of funds in the amount of \$173,870.75 from the Federal Emergency Management Agency for winter ice storm damage during January 2010, 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 reimbursement of funds in the amount of \$173,870.75 from the Federal Emergency Management Agency for winter ice storm damage during January 2010, approved; and Other Revenue/FEMA Reimbursements (010-0000-334.13-28) was increased by \$173,870.75.

* * * * *

Item 31, being:

SPECIAL CLAIM NO. SC-1011-1: CLAIM IN THE REDUCED AMOUNT OF \$3,195 SUBMITTED BY CASCADE ESTATES HOMEOWNERS ASSOCIATION FOR REPAIRS TO IRRIGATION AND LANDSCAPING DAMAGED DURING A CITY SIDEWALK PROJECT LOCATED AT THE INTERSECTION OF TECUMSEH ROAD AND ASTOR BOULEVARD.

Councilmember Kovach moved that Special Claim No. SC-1011-1 be approved and payment in the reduced amount of \$3,195 be directed contingent upon obtaining a Release and Covenant Not to Sue from Cascade Estates Homeowners Association, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. SC-1011-1 dated July 12, 2010
2. Special Claim No. SC-1011-1 dated October 10, 2009, submitted by Cascade Estates Homeowners Association in the amount of \$3,695
3. Letter dated October 10, 2009, from Clay Bartrug, Director, Cascade Estates, HOA, to City Council
4. Invoice No. 195131 dated August 27, 2009, from HDH Landscape Services in the amount of \$1,715
5. Estimate dated October 1, 2009, from HDH Landscape Services in the amount of \$1,980
6. Memorandum dated October 20, 2009, from Brenda Hall, City Clerk, to Ken Komiske, Director of Utilities, and Jeff Bryant, City Attorney
7. Aerial photo of location

Item 31, continued:

and the question being upon approving Special Claim No. SC-1011-1 and upon the subsequent directive, a vote was taken with the following result:

Item 31, continued:

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 Special Claim No. SC-1011-1 approved; and payment in the reduced amount of \$3,195 was directed contingent upon obtaining a Release and Covenant Not to Sue from Cascade Estates Homeowners Association.

* * * * *

Item 32, being;

AMENDMENT NO. ONE TO CONTRACT NO. K-0304-153: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CIMMARRON GATHERING, L.P., INCREASING THE CONTRACT BY \$1,543.27 FOR UTILITY RELOCATIONS IN CONNECTION WITH THE ROBINSON STREET WIDENING PROJECT BETWEEN NORTHCLIFF AVENUE AND 24TH AVENUE N.E.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0304-153 with Cimmarron Gathering, L.P., increasing the contract amount by \$1,543.27 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-0304-153 Amend. #1
2. Location map
3. Photo of street
4. Letter from Cody Presgrove, Cimmarron Gathering, L.P., Velma Office Manager, Scissor Tale Energy, L.L.C., to Whom It May Concern
5. Invoices from Rick's Welding, Action Safety Supply Company, and Five Point Services, Inc., submitted by Cimmarron Gathering, L.P.
6. Contract No. K-0304-153 with Exhibit A, Expenditures, and Exhibit B, location map
7. Invoice dated April 28, 2010, from Cimmarron Gathering, L.P., to Lonnie Ferguson, in the amount of \$8,258.16
8. Amendment No. One to Contract No. K-0304-153 with revised billing
9. Purchase Requisition No. 0000173932 dated July 21, 2010, in the amount of \$1,543.27 to Cimmarron Gathering, L.P.

and the question being upon approving Amendment No. One to Contract No. K-0304-153 with Cimmarron Gathering, L.P., increasing the contract amount by \$1,543.27 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 Amendment No. One to Contract No. K-0304-153 with Cimmarron Gathering, L.P., increasing the contract amount by \$1,543.27 approved; and the execution thereof was authorized.

* * * * *

Item 33, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-56: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND HOWARD CONSTRUCTION, INC., INCREASING THE CONTRACT BY \$12,803 AND EXTENDING THE CONTRACT BY 120 CALENDAR DAYS FOR THE PHASE 1 WELL FIELD DEVELOPMENT PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. One to Contract No. K-0809-56 with Howard Construction, Inc., increasing the contract amount by \$12,803 and extending the contract by 120 calendar days be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$14,526.58 to Howard Construction, Inc., be directed, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Text File No. K-0809-56 CHG #1 dated July 14, 2010
- 2. Change Order No. One to Contract No. K-0809-56
- 3. Final Payment Estimate dated June 25, 2010

and the question being upon approving Change Order No. One to Contract No. K-0809-56 with Howard Construction, Inc., increasing the contract amount by \$12,803 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS:	Trustees Atkins, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and Change Order No. One to Contract No. K-0809-56 with Howard Construction, Inc., increasing the contract amount by \$12,803 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$14,526.58 to Howard Construction, Inc., was directed.

* * * * *

Item 34, being:

CONTRACT NO. K-1011-11: A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF NORMAN AND CAPITOL DECISIONS, INC., IN THE AMOUNT OF \$71,500 PER YEAR FOR CONSULTING AND ADVISORY SERVICES.

Councilmember Kovach moved that Contract No. K-1011-11 with Capitol Decisions, Inc., in the annual amount of \$71,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. K-1011-11 dated June 30, 2010
- 2. Contract No. K-1011-11

and the question being upon approving Contract No. K-1011-11 with Capitol Decisions, Inc., in the annual amount of \$71,500 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-1011-11 with Capitol Decisions, Inc., in the annual amount of \$71,500 approved; and the execution thereof was authorized.

* * * * *

Item 35, being:

CONTRACT NO. K-1011-12: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA TO PROVIDE A DISPUTE MEDIATION PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2011.

Councilmember Kovach moved that Contract No. K-1011-12 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2011, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. K-1011-12 dated July 16, 2010
- 2. Contract No. K-1011-12

and the question being upon approving Contract No. K-1011-12 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2011, 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-1011-12 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2011, approved; and the execution thereof was authorized.

* * * * *

Item 36, being:

CONTRACT NO. K-1011-13: AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE STATE OF OKLAHOMA OFFICE OF JUVENILE AFFAIRS (OJA) TO ACCEPT FUNDING IN THE AMOUNT OF \$238,644.19 FOR THE PURPOSE OF OPERATING A COMMUNITY INTERVENTION CENTER.

Councilmember Kovach moved that Contract No. K-1011-13 with the State of Oklahoma Office of Juvenile Affairs to accept funding in the amount of \$238,644.19 for the purpose of operating a Community Intervention Center be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. K-1011-13 dated July 19, 2010
- 2. Contract No. K-1011-13

and the question being upon approving Contract No. K-1011-13 with the State of Oklahoma Office of Juvenile Affairs to accept funding in the amount of \$238,644.19 for the purpose of operating a Community Intervention Center 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-1011-13 with the State of Oklahoma Office of Juvenile Affairs to accept funding in the amount of \$238,644.19 for the purpose of operating a Community Intervention Center approved; and the execution thereof was authorized.

* * * * *

Item 37, being:

CONTRACT NO. K-1011-14: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CROSSROADS YOUTH AND FAMILY CENTER, INC., IN THE AMOUNT OF \$278,644.19 FOR THE OPERATION AND MAINTENANCE OF THE COMMUNITY INTERVENTION CENTER FROM JULY 1, 2010, THROUGH JUNE 30, 2011, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1011-14 with Crossroads Youth and Family Center, Inc., in the amount of \$278,644.19 for the operation and maintenance of the Community Intervention Center from July 1, 2010, through June 30, 2011, be approved; the execution of the contract be authorized; and \$40,000 be appropriated from the General Fund Balance (010-0000-253.20-00) to Professional Services/Other Professional, Legal (010-2220-412.40-99), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-14 dated July 16, 2010
2. Contract No. K-1011-14

and the question being upon approving Contract No. K-1011-14 with Crossroads Youth and Family Center, Inc., in the amount of \$278,644.19 for the operation and maintenance of the Community intervention Center from July 1, 2010, through June 30, 2011, 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-1011-14 with Crossroads Youth and Family Center, Inc., in the amount of \$278,644.19 for the operation and maintenance of the Community intervention Center from July 1, 2010, through June 30, 2011 approved; the execution thereof was authorized, and \$40,000 was appropriated from the General Fund Balance (010-0000-253.20-00) to Professional Services/Other Professional, Legal (010-2220-412.40-99).

* * * * *

Item 38, being:

CONSIDERATION OF A REQUEST FOR FUNDING FROM THE CENTER FOR CHILDREN AND FAMILIES, INC., AND APPROVAL OF CONTRACT NO. K-1011-40 IN THE AMOUNT OF \$81,000.

Councilmember Kovach moved that Contract No. K-1011-40 with the Center for Children and Families, Inc., in the amount of \$81,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-40 dated July 16, 2010
2. Contract No. K-1011-40 with Exhibit "A," letter dated June 14, 2010, from Katie Fitzgerald, MSW, Executive Director, Center for Children and Families, Inc., to Brenda Hall, City Clerk
3. Purchase Requisition No. 0000173791 dated July 19, 2010, in the amount of \$81,000 to Center for Children and Families, Inc.

and the question being upon approving Contract No. K-1011-40 with the Center for Children and Families, Inc., in the amount of \$81,000 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-1011-40 with the Center for Children and Families, Inc., in the amount of \$81,000 approved; and the execution thereof was authorized.

* * * * *

Item 39, being:

CONSIDERATION OF CONTRACT NO. K-1011-44 WITH LASHAR HOME COMFORT SYSTEMS, L.L.C., IN THE AMOUNT OF \$48,348, MAINTENANCE BOND NO. MB-1011-8 AND RESOLUTION NO. R-1011-20 FOR THE SOONER THEATRE HVAC IMPROVEMENTS.

Councilmember Kovach moved that Contract No. K-1011-44 with Lashar Home Comfort Systems, L.L.C., in the amount of \$48,348 and the maintenance bond be approved; the execution of the contract be authorized; the filing of the bond be directed; and Resolution No. R-1011-20 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-44 dated July 13, 2010
2. Tabulation of bid quotes dated July 12, 2010, for the Sooner Theatre HVAC Improvements Project
3. Contract No. K-1011-44
4. Maintenance Bond No. MB-1011-8
5. Resolution No. R-1011-20
6. Purchase Requisition No. 0000173940 dated July 22, 2010, in the amount of \$48,348 to Lashar Home Comfort Systems, L.L.C.

and the question being upon approving Contract No. K-1011-44 with Lashar Home Comfort Systems, L.L.C., and upon the subsequent authorization, directive, 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 Contract No. K-1011-44 with Lashar Home Comfort Systems, L.L.C., in the amount of \$48,348 and the maintenance bond approved; the execution of the contract was authorized, the filing of the bond was directed, and Resolution No. R-1011-20 was adopted.

* * * * *

Item 40, being:

CONSIDERATION OF THE ACCEPTANCE OF AN OKLAHOMA DEPARTMENT OF COMMERCE GRANT IN THE AMOUNT OF \$945,000 FOR THE INSTALLATION OF A COMPRESSED NATURAL GAS (CNG) FUELING STATION, APPROVAL OF CONTRACT NO. K-1011-49, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant from the Oklahoma Department of Commerce in the amount of \$945,000 for the installation of a CNG Fueling Station be accepted; Contract No. K-1011-49 be approved; the execution of the contract be authorized; and \$745,000 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0071, CNG Fueling Facility, Construction (022-9503-435.61-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-49 dated July 16, 2010
2. Letter dated July 1, 2010, from Vaughn Clark, Director, Community Development, Oklahoma Department of Commerce, to Mr. Steve Lewis, City Manager
3. Letter dated July 1, 2010, from Charlotte Conant, Contracts Developer, Community Development, Oklahoma Department of Commerce, to Mr. Steve Lewis, City Manager
4. Contract No. K-1011-49 with Attachment "A," State Energy Program American Recovery Act and Reinvestment Act Special Terms and Conditions

Participants in discussion

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

Item 40, continued:

and the question being upon accepting a grant from the Oklahoma Department of Commerce in the amount of \$745,000 for the installation of a CNG Fueling Station 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 a grant from the Oklahoma Department of Commerce in the amount of \$945,000 for the installation of a CNG Fueling Station accepted; Contract No. K-1011-49 was approved, the execution of the contract was authorized, and \$745,000 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0071, CNG Fueling Facility, Construction (022-9503-435.61-01).

* * * * *

Item 41, being:

RESOLUTION NO. R-0910-139: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING FUNDS FROM THE HALL PARK CAPITAL FUND TO BE USED FOR THE FYE 2011 HALL PARK LAKE DAM REPAIR PROJECT.

Councilmember Kovach moved that Resolution No. R-0910-139 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. R-0910-139 dated June 8, 2010
2. Hall Park Dam Repair Recommendation for Budget Transfer and Appropriation
3. Location map
4. Resolution No. R-0910-139
5. Hall Park Special Improvement District Estimated Expenditures and Revenues
6. Aerial map of Hall park Ponds north of Robinson and west of 24th Avenue N.W.
7. Aerial map of location of dam
8. Resolution No. R-0203-90
9. Notice of Hearing as to the Creation of the "Hall Park Special Improvement District"
10. Cost Estimate for the Hall Park Special Improvement District
11. Pertinent excerpts from City Council minutes of April 22, 2003

and the question being upon adopting Resolution No. R-0910-139, 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-0910-139 was adopted.

* * * * *

Item 42, being:

RESOLUTION NO. R-1011-16: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$287,406.40 FROM THE ROCK CREEK WIDENING PROJECT FROM PORTER TO 12TH AVENUE NE TO THE MAIN AND 36TH INTERSECTION WIDENING PROJECT TO PAY A UTILITY DELAY CLAIM FROM THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN CONNECTION WITH THE MAIN AND 36TH INTERSECTION WIDENING PROJECT.

Councilmember Kovach moved that Resolution No. R-1011-16 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. R-1011-16 dated July 2, 2010
- 2. Letter dated November 2, 2009, from Chelley Hilmes, Comptroller, Oklahoma Department of Transportation, to Mr. Steve Lewis, City Manager
- 3. Invoice No. 22138(04)-1 dated November 2, 2009, in the amount of \$287,406.40 from the Oklahoma Department of Transportation
- 4. Resolution No. R-1011-16
- 5. Purchase Requisition No. 0000173290 dated July 2, 2010, in the amount of \$287,406.40 to the Oklahoma Department of Transportation

Participants in discussion

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

and the question being upon adopting Resolution No. R-1011-16, 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-1011-16 was adopted.

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Item 43, being:

RESOLUTION NO. R-1011-23: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$16,000 FROM THE STATE SEIZURE FUND FOR THE REPLACEMENT OF UNIT NO. 1078 FOR THE NARCOTICS DIVISION OF THE POLICE DEPARTMENT.

Councilmember Kovach moved that Resolution No. R-1011-23 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. R-1011-23 dated July 14, 2010
- 2. Resolution No. R-1011-23

and the question being upon adopting Resolution No. R-1011-23, 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-1011-23 was adopted.

* * * * *

Item 44, being:

CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT IN THE AMOUNT OF \$125,000 FOR ACQUISITION OF PROPERTY IN CONNECTION WITH THE WIDENING OF 60TH AVENUE N.W., FROM DON AND DELORES HILL, ET AL; *CITY OF NORMAN V. DON AND DELORES HILL, ET AL.*, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2004-332 BH.

Councilmember Kovach moved that the City Attorney's recommendation be approved and the City Attorney's Office be authorized to effectuate the settlement in the amount of \$125,000, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. TMP-72 dated July 19, 2010
2. Cleveland County District Court Case No. CJ-2009-332 BH, the City of Norman vs. Don Hill and Dolores Hill, husband and wife, and Warranty Bank and Trust Company, Oklahoma, a Domestic Bank, with attached "Exhibit A," legal description, and Exhibit "B," Resolution No. R-0203-78

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

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

NAYES: None

The Mayor declared the motion carried and the City Attorney's recommendation approved; and the City Attorney's Office was authorized to effectuate the settlement in the amount of \$125,000.

* * * * *

Item 45, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$13,876.71 REGARDING JOSEPH B. SMITH VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2010-04794Q.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$13,876.71, which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. TMP-73 dated July 19, 2010
2. Workers' Compensation Court Order No. WCC 2010-04794Q filed July 15, 2010
3. Purchase Requisition No. 0000173822 dated July 19, 2010, in the amount of \$10,529.50 to Joseph B. Smith and William E. Woodson
4. Purchase Requisition No. 0000173825 dated July 19, 2010, in the amount of \$266.35 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000173826 dated July 19, 2010, in the amount of \$99.88 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000173827 dated July 19, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000173828 dated July 19, 2010, in the amount of \$118 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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of \$13,876.71, which will constitute judgment against the City of Norman was directed.

* * * * *

Item 46, being:

PROCLAMATION NO. P-1011-1: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING TUESDAY, AUGUST 3, 2010, AS "NATIONAL NIGHT OUT" IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-1 proclaiming Tuesday, August 3, 2010, as National Night Out in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. P-1011-1 dated July 12, 2010
2. Proclamation No. P-1011-1

Participants in discussion

1. Ms. Jennifer Newell, Neighborhood Watch Groups and Public Information Officer for the Police Department, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-1 proclaiming Tuesday, August 3, 2010, 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, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1011-1 proclaiming Tuesday, August 3, 2010, as National Night Out in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 47, being:

CONSIDERATION OF THE RELEASE OF CASH SURETY FOR DEFERRED CONSTRUCTION FOR PAVING AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH DOWELL ADDITION.

Councilmember Kovach moved that the return of the owner's obligation for deferred construction be rejected, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. TMP-68 dated July 15, 2010
2. Memorandum dated February 17, 1987, from Ken Danner, Development Coordinator, to Dave Clark, Acting City Manger, through David A. Rennie, Director of Public Works
3. Council Agenda Item for the return of Cash Surety for Deferred Construction for Paving and Sidewalk Improvements in Connection with Dowell Addition
4. Location maps
5. Letter dated March 29, 2010, from Rick Dowell, President, Dowell Properties, Inc., to Shawn O'Leary, Director of Public Works
6. Certificate of Deposit Receipt dated November 13, 2000, in the amount of \$8,965.64 from Bank of America
7. Site plan
8. Final plat
9. Engineering estimate for sidewalk dated February 18, 2000, from Phillip G. Clour, P.E., L.S., Clour Engineering of Oklahoma, Inc., in the amount of \$1,846.25
10. Engineer's estimate for street widening from Phillip G. Clour, P.E., L.S., Clour Engineering of Oklahoma, Inc., in the amount of \$7,119.39
11. Pertinent excerpts from City Council minutes of March 14, 2000

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Richard Dowell, 534 South College, Owner
3. Mr. Jeff Bryant, City Attorney

Item 47, continued:

Thereupon, Councilmember Cubberley moved that Item No. 47 be postponed for two weeks to allow Staff time to review the owner's alternate proposal for deferred construction, which motion was duly seconded by Councilmember Kovach; and the question being upon postponing Item No. 47 for two weeks to allow Staff time to review the owner's alternate proposal for deferred construction, 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 No. 47 was postponed for two weeks to allow Staff time to review the owner's alternate proposal for deferred construction.

* * * * *

Item 48, being:

UPDATE ON THE PROGRESS MADE AT 304 SOUTH STEWART AVENUE AS REQUESTED BY CITY COUNCIL IN CONNECTION WITH CONDEMNATION OF SAID PROPERTY PER RESOLUTION NO. R-0910-60.

Councilmember Dillingham moved to allow the Revitalization Manager to update City Council regarding the progress made at 304 South Stewart Avenue, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. RPT-1011-3 dated July 13, 2010
2. Photographs of progress made at 304 South Stewart
3. Pertinent excerpts from City Council minutes of October 27, 2009, and January 26, 2010

Participants in discussion

1. Ms. Linda Price, Revitalization Manager
2. Mr. Ronnie Argo, 520 Beech, Lexington, owner of 304 South Stewart Avenue

Item 48, continued:

and the question being upon allowing the Revitalization Manager to update City Council regarding the progress made at 304 South Stewart Avenue, 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 Revitalization Manager was allowed to update City Council regarding the progress made at 304 South Stewart Avenue.

Thereupon, Councilmember Dillingham moved that an update to City Council regarding the progress made at 304 South Stewart Avenue be provided in six months, which motion was duly seconded by Councilmember Kovach, and the question being upon providing an update to City Council regarding the progress made at 304 South Stewart Avenue in six months, 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 an update will be provided to City Council regarding the progress made at 304 South Stewart Avenue in six months.

* * * * *

Councilmember Kovach departed the Council meeting at 7:25 p.m.

* * * * *

MISCELLANEOUS DISCUSSION

Commercial Dumpsters. Ms. Carol Cole-Frowe, 413 Park Drive, said a few months ago, the three story Campus Station apartments at 520 South University Boulevard resurfaced their parking lot and relocated their dumpster to an edge of land on the southwest corner of the parking lot, which measured seven feet from her kitchen window and fifteen feet from her air conditioner. She said the dumpster gets emptied every Tuesday and Thursday at 6:45 a.m.. She said the property was platted in 1939 before dumpsters were patented and the small edge of property was never intended for a dumpster. She said she asked the apartment owners to move the dumpster and they said they would look into it, but subsequent calls have not been returned. She contacted the City and discovered there is no law against placing a dumpster so close to a single family residence. She asked Mr. Scottie Williams, Sanitation Superintendent, to move the dumpster and he did, but a few days later the dumpster was moved back. She said Mr. Williams told her the apartment management had requested the dumpster be moved back and there is no ordinance to prevent them from placing it there. She asked Council to adopt an ordinance with set back requirements for commercial dumpsters of at least 40 feet from residential homes and multi-family residences or apartment complexes be required to have an eight-foot fence in good condition. She said, currently, the apartment complex has a six foot fence and the dumpster is clearly visible. She asked residences or apartment complexes should also be required to maintain the fence with a thirty-day warning or fined if they do not comply.

Mayor Cindy Rosenthal said she has asked the City Council Oversight Committee to review an ordinance and asked Mr. Ken Komiske, Utilities Director, to report what contact he had with the property owners.

Mr. Komiske said there is no ordinance to prevent where dumpsters are placed, but there is an ordinance regarding new installation that is not retroactive and does not have a set back requirement between residential homes and commercial businesses. He said Mr. Williams has talked with the apartment management and they have agreed to meet with the City to discuss possible alternative placement of the dumpster.

*

Grass Clippings. Mr. Roger Gallagher, 1522 East Boyd, said the local newspaper had an article with suggestions for taking care of grass clippings and felt it was a great idea since there are so many nutrient and nitrogen problems with clippings. He said he sweeps his up and does not see any reason other property owners cannot do the same. He said the City put the information in the paper and he congratulates them; however, if nothing is done about the problem, then he cannot see the situation changing.

*

Tax Increment Finance District (TIF). Mr. Roger Gallagher, 1522 East Boyd, said he attended a TIF meeting and, according to Roberts Rules of Order, business cannot be conducted without a quorum. He said there were three members at the meeting who discussed business and agreed to ask the City Attorney to draft a position statement to be e-mailed to the absent members to reach a decision. Mr. Gallagher said he was under the impression that business had been concluded and the electronic means of communication would complement that. He asked if he was correct in believing that business cannot be conducted without a quorum.

Mr. Jeff Bryant, City Attorney, said the TIF Committee did meet without a quorum, which is legal; however, there was some confusion on their ability to vote and Mr. Bryant told them they needed a quorum to vote. He said there was also discussion regarding sending a proposal electronically to absent members for feedback, which he discouraged. He said Legal Staff will provide training material to the members regarding restrictions of the Open Meetings Act.

*

Miscellaneous Discussion, continued:

Traffic Issues. Mr. Bobby Stevens, 3801 108th Avenue S.E., said, at the last Council meeting, it was stated there had been one accident on 36th Avenue S.E. in one year and he disagreed. He said 36th Avenue and Cedar Lane had been closed for several months and there had been an accident, but no police report and just because there was no report, does not mean it did not happen. He said he has pictures of other accidents with dates and times he would provide to the City. Mr. Stevens said he had requested signs be erected warning people that tin horns were in the area and the City did install the signs, but only for one direction of traffic. Mr. Stevens thanked Councilmember Cubberley for his help with signage at the 36th Avenue intersection. He provided pictures for City Council's review.

Items submitted for the record

1. Pictures

Mayor Rosenthal asked the Street Department to follow up on Mr. Stevens' concerns.

*

Budget. Mr. W.T. Farrow, Post Office Box 844, Lexington, said he appreciated the Council's patience and concern regarding the employees' appeal to Council to find budget cuts in other areas than employee layoffs. He said Council worked very hard on the budget and he appreciated all their efforts. He also thanked Mr. Steve Lewis, City Manager, and Mayor Rosenthal for their diligence on the budget. He told Council that Scottie Williams is the best superintendent he has ever worked under, is a dedicated employee, and deserves a pat on the back.

Councilmember Cubberley agreed that Scottie Williams is one of the best employees the City has and the Sanitation Division has an excellent reputation because they are very proactive in helping citizens and ensuring quality service. He feels this is due to good leadership. He said the Finance Committee reviews the budget and it is evident that the projections for FYE 2012 are worse than anticipated with a potential deficit of over \$5,000,000, which represents more than a 10% increase in sales tax to bring that deficit to zero. He said Council was criticized for not informing the public sooner about the financial conditions of the City and the Finance Committee had talked about providing a Financial Forum for the citizens. He said the City has tremendous budget challenges ahead and Council will hold public meetings to educate citizens about the financial condition of the City and to ask for input on prioritizing City services. He said the City cannot continue providing the level of service expected in the current economic climate.

*

National Night Out. Mr. Mark Campbell, 2821 Dewey Avenue, said he has given up trying to organize a National Night Out event at Emerald Greens Apartments because there are street lights out on Dewey and Constitution as well as security lights and stairwell lights in the building. He said he asked for assistance regarding these issues at previous Council meetings and has e-mailed his Councilmember, Doug Cubberley, but has failed to receive a response. He said he has also talked with the Traffic Engineer about the street lights on Constitution because it is dangerous to walk or bicycle in the dark. He asked Council to drive by his neighborhood on National Night Out to see the problem first hand. He said the security light issue at his apartment complex is dangerous and asked that Code Enforcement address the violations, which can only be observed at night.

Mayor Rosenthal said the City Manager would follow up on the street light issue.

Councilmember Dillingham said there can never be too many neighborhood National Night Out parties. She said it is the best event all year and encouraged those who have never held an event to do so.

*

Birthday. Councilmember Quinn thanked his wife for the birthday cakes she provided for the Council dinner and thanked Council for their well wishes.

*

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

*

Miscellaneous Discussion, continued:

S.W.A.T. Championships. Mayor Rosenthal said she received a letter regarding the S.W.A.T. Championships held in Tulsa in late June. She said the letter commended the City of Norman's team on being a well led, professional, highly skilled and dedicated team in competing against the most experienced law enforcement tactical teams in the World. She commended the team for their representation of Norman in the competition.

*

Groundwater Issues. Councilmember Griffith thanked Public Works Staff for helping a constituent deal with water in their yard. He said what was initially thought to be a water main problem turned out to be groundwater and Staff made a great effort to resolve the issue even though there is not much the City can do about groundwater.

*

Utility Rates. Mayor Rosenthal urged everyone to educate themselves and ask questions about the upcoming election on August 24, 2010, on sanitation and water rate increases. She said she or other Councilmembers would be happy to address any groups interested in learning more about the increases. She said the rate increases are very critical to the future of the City in maintaining services.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 8:00 p.m.

ATTEST:

City Clerk

Mayor