

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

September 14, 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 14th day of September, 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, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

RESOLUTION NO. R-1011-42: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, HONORING THE 2010 RECIPIENT OF THE CITIZENS HONOR ROLL OF SERVICE.

Councilmember Quinn moved that Resolution No. R-1011-42 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Resolution No. R-1011-42

Participants in discussion

1. Mr. Jim Gasaway accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-1011-42, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1011-42 was adopted.

* * * * *

Item 4, being:

CONSENT DOCKET

Councilmember Ezzell moved that Item 6 through Item 41 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Atkins; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 41, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 6 through Item 41 were placed on the consent docket by unanimous vote.

* * * * *

Item 5, being:

APPROVAL OF THE CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT MINUTES OF AUGUST 13, 2010; CITY COUNCIL STUDY SESSION MINUTES OF AUGUST 17, 2010; CITY COUNCIL FINANCE COMMITTEE MINUTES OF AUGUST 18, 2010; PUBLIC MEETING MINUTES OF AUGUST 19, 2010; CITY COUNCIL CONFERENCE MINUTES OF AUGUST 24, 2010; CITY COUNCIL MINUTES OF AUGUST 24, 2010; NORMAN UTILITIES AUTHORITY MINUTES OF AUGUST 24, 2010; NORMAN MUNICIPAL AUTHORITY MINUTES OF AUGUST 24, 2010; NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF AUGUST 24, 2010; AND CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 31, 2010.

Item 5 was withdrawn at the request of Staff.

* * * * *

Item 6, being:

CONSIDERATION OF ORDINANCE NO. ZO-1011-3 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A UTILITY EASEMENT LOCATED ALONG THE WEST BOUNDARY OF LOT 4, BLOCK 3, CARRINGTON PLACE ADDITION, SECTION 8, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. (4537 BELLINGHAM LANE)

Councilmember Cubberley moved that Ordinance No. ZO-1011-3 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. ZO-1011-3 dated July 13, 2010, by Doug Kosciński
2. Ordinance No. ZO-1011-3
3. Location map
4. Staff Report dated August 12, 2010, recommending approval
5. Letter of request dated June 14, 2010, from R. Lindsay Bailey, Bailey Law Offices, to Brenda Hall, City Clerk
6. Petition to Partially Vacate Easement dated June 14, 2010, from Richard McKown, Manager, Carrington Place, L.L.C.
7. Legal descriptions and location maps
8. Letter dated August 3, 2010, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
9. Pertinent excerpts from Planning Commission minutes of August 26, 2010

and the question being upon the Introduction and adoption of Ordinance No. ZO-1011-3 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. ZO-1011-3 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1011-10 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE XXVII, SECTIONS 13-2705 AND 13-2712 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE SUPPORTING DOCUMENTS REQUIRED AND ADDING A PROVISION REGARDING SAFETY REQUIREMENTS OF BANNERS FOR SPECIAL EVENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Cubberley moved that Ordinance No. O-1011-10 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1011-10 dated September 7, 2010, by Leah Messner.
2. Ordinance No. O-1011-10
3. Legislatively notated copy of Ordinance No. O-1011-10
4. Pertinent excerpts from City Council Oversight Committee minutes of September 1, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-10 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-10 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS OF DALE WARES AND JOLENE RING TO THE CHILDREN'S RIGHTS COORDINATING COMMISSION; MARY FRANCIS AND DORINDA HARVEY TO THE ENFORCEMENT AUTHORITY; DAVE BOECK TO THE ENVIRONMENTAL CONTROL ADVISORY BOARD; ZEV TRACHTENBERG AND ROBERTA PAILES TO THE PLANNING COMMISSION; JONATHAN FOWLER TO THE PUBLIC ARTS BOARD; AND PEGGY ELLIS TO THE SOCIAL AND VOLUNTARY SERVICES COMMISSION.

Councilmember Cubberley moved that the appointments be confirmed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. AP-1011-11 dated September 2, 2010

and the question being upon confirming the appointments, a vote was taken with the following result:

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

NAYES: None

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

* * * * *

Item 9, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AND ADOPTION OF RESOLUTION NO. R-1011-37 APPOINTING ROGER FRECH TO THE CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT.

Councilmember Cubberley moved that the appointment be confirmed, Resolution No. R-1011-37 be adopted, and the submission thereof be directed to the Cleveland County District Court, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. R-1011-37 dated September 3, 2010
- 2. Resolution No. R-1011-37

and the question being upon confirming the appointment and upon the subsequent adoption and directive, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and the appointment confirmed; Resolution No. R-1011-37 was adopted and the submission thereof was directed to the Cleveland County District Court.

* * * * *

Item 10, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AND ADOPTION OF RESOLUTION NO. R-1011-38 APPOINTING BAXTER VIEUX TO THE CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT.

Councilmember Cubberley moved that the appointment be confirmed, Resolution No. R-1011-38 be adopted, and the submission thereof be directed to the Cleveland County District Court, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. R-1011-38 dated September 8, 2010
- 2. Resolution No. R-1011-38

and the question being upon confirming the appointment and upon the subsequent adoption and directive, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and the appointment confirmed; Resolution No. R-1011-38 was adopted and the submission thereof was directed to the Cleveland County District Court.

* * * * *

Item 11, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-14 FOR THREE (3) TRAFFIC SIGNAL CONTROLLER & CABINET ASSEMBLIES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Cubberley moved that the bid as meeting specifications be accepted and the bid in the amount of \$15,032.33 each for a total bid price of \$45,127 be awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-14 dated August 31, 2010, by Angelo Lombardo
2. Bid Record dated August 15, 2010, for three (3) controller and cabinet assemblies

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

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

NAYES: None

The Mayor declared the motion carried and the bid as meeting specifications accepted; and the bid in the amount of \$15,032.33 each for a total bid price of \$45,127 was awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 12, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-16 FOR THE PURCHASE OF A FIRE TRUCK FOR THE FIRE DEPARTMENT.

Councilmember Cubberley moved that all bids meeting specifications be accepted and the bid in the amount of \$402,984 be awarded to Pierce Manufacturing as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-16 dated August 25, 2010, by James Fullingim
2. Fire Engine Bid Comparisons dated August 12, 2010

Participants in discussion

1. Mr. James Fullingim, Fire Chief
2. Mr. Mike White, Fleet Superintendent

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$402,984 was awarded to Pierce Manufacturing as the lowest and best bidder meeting specifications.

* * * * *

Item 13, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-19 FOR TRAFFIC SIGN FACES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Cubberley moved that all bids meeting specifications on Section 1 be accepted and the bid in the amount of \$1.32 per square foot be awarded to Hall Signs, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-19 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic sign faces

and the question being upon accepting all bids meeting specifications on Section 1 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Section 1 accepted; and the bid in the amount of \$1.32 per square foot was awarded to Hall Signs, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Sections 2, 3, 4, 5, and 6 be accepted and the bid be awarded to Vulcan Signs as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-19 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic sign faces

and the question being upon accepting all bids meeting specifications on Sections 2, 3, 4, 5, and 6 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Sections 2, 3, 4, 5, and 6 accepted; and the bid was awarded to Vulcan Signs as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Sections 7, 8, 9, and 10 be accepted and the bid be awarded to Custom Products Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-19 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic sign faces

and the question being upon accepting all bids meeting specifications on Sections 7, 8, 9, and 10 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Sections 7, 8, 9, and 10 accepted; and the bid was awarded to Custom Products Corporation as the lowest and best bidder meeting specifications.

Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-20 FOR GALVANIZED STEEL SIGN POSTS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Cubberley moved that all bids meeting specifications on Sections 1 and 4 be accepted and the bid be awarded to Custom Products Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-20 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for galvanized steel sign posts

and the question being upon accepting all bids meeting specifications on Sections 1 and 4 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Sections 1 and 4 accepted; and the bid was awarded to Custom Products Corporation as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Sections 2 and 3 be accepted and the bid be awarded to Centerline Supply, LTD., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-20 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for galvanized steel sign posts

and the question being upon accepting all bids meeting specifications on Sections 2 and 3 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Sections 2 and 3 accepted; and the bid was awarded to Centerline Supply, LTD., as the lowest and best bidder meeting specifications.

* * * * *

Item 15, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-21 FOR TRAFFIC PAINT GLASS BEADS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Cubberley moved that all bids meeting specifications be accepted and the bid in the amount of \$0.347 per pound be awarded to Paving Maintenance Supply, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-21 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic paint glass beads

Item 15, continued:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$0.347 per pound was awarded to Paving Maintenance Supply, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 16, being:

CONSIDERATION AND AWARDSING OF BID NO. 1011-22 FOR FLUORESCENT TRAFFIC CONES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Cubberley moved that all bids meeting specifications be accepted and the bid in the amount of \$8.00 per cone be awarded to Barco Municipal Products, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-22 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for fluorescent traffic cones

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$8.00 per cone was awarded to Barco Municipal Products, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 17, being:

CONSIDERATION AND AWARDSING OF BID NO. 1011-23 FOR TRAFFIC SIGNS AND ACCESSORIES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Cubberley moved that all bids meeting specifications on Sections 1 and 2 be accepted and the bid be awarded to Vulcan Signs as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-23 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic signs and accessories

and the question being upon accepting all bids meeting specifications on Sections 1 and 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Sections 1 and 2 accepted; and the bid was awarded to Vulcan Signs as the lowest and best bidder meeting specifications.

Item 17, continued:

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Sections 3A, 3C, and 3D be accepted and the bid be awarded to Hall Signs, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-23 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic signs and accessories

and the question being upon accepting all bids meeting specifications on Sections 3A, 3C, and 3D and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Sections 3A, 3C, and 3D accepted; and the bid was awarded to Hall Signs, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Section 3B be accepted and the bid in the amount of \$19.30 each be awarded to Centerline Supply, LTD., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-23 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic signs and accessories

and the question being upon accepting all bids meeting specifications on Section 3B and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Section 3B accepted; and the bid in the amount of \$19.30 each was awarded to Centerline Supply, LTD., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Section 3E be accepted and the bid be awarded to Hall Signs, Inc., and Custom Products Corporation as the lowest and best bidders meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-23 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic signs and accessories

and the question being upon accepting all bids meeting specifications on Section 3E and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications on Section 3E accepted; and the bid was awarded to Hall Signs, Inc., and Custom Products Corporation as the lowest and best bidders meeting specifications.

* * * * *

Item 17, continued:

Thereupon, Councilmember Cubberley moved that all bids meeting specifications on Section 3F be accepted and the bid in the amount of \$1.53 each be awarded to Custom Products Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. BID-1011-23 dated August 31, 2010, by Angelo Lombardo
2. Bid tabulation for traffic signs and accessories

and the question being upon accepting all bids meeting specifications on Section 3F and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and all bids meeting specifications on Section 3F accepted; and the bid in the amount of \$1.53 each was awarded to Custom Products Corporation as the lowest and best bidder meeting specifications.

* * * * *

Item 18, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF A DEWATERED SLUDGE STORAGE BASIN ROOF IN THE AMOUNT OF \$31,800 FROM NUNEZ BROTHERS FOR THE WASTEWATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Cubberley moved that authorization for the purchase of a dewatered sludge storage basin roof from Nunez Brothers in the amount of \$31,800 be approved, which motion was duly seconded by Trustee Dillingham;

Items submitted for the record

1. Text File No. TMP-81 dated August 13, 2010, by Ralph Arnett
2. Verbal or Written Quote Form dated July 27, 2010

and the question being upon approving authorization for the purchase of a dewatered sludge storage basin roof from Nunez Brothers in the amount of \$31,800, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Chairman declared the motion carried and authorization for the purchase of a dewatered sludge storage basin roof from Nunez Brothers in the amount of \$31,800 was approved.

* * * * *

Item 19, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF NAVILINE ENHANCED USER INTERFACE SOFTWARE FROM SUNGARD PUBLIC SECTOR IN THE AMOUNT OF \$83,626.70 FOR THE FINANCE DEPARTMENT.

Councilmember Cubberley moved that authorization for the purchase of NaviLine Enhanced User Interface Software in the amount of \$83,626.70 be approved, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. TMP-83 dated August 29, 2010, by Gary Lowe
2. Investment Summary dated January 16, 2010, updated August 6, 2010, from Sungard Public Sector, NaviLine, in the amount of \$83,626.70
3. Purchase Requisition No. 0000175698 dated August 29, 2010, in the amount of \$83,626.70 to Sungard Public Sector, Inc.

and the question being upon approving authorization for the purchase of NaviLine Enhanced User Interface Software in the amount of \$83,626.70, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and authorization for the purchase of NaviLine Enhanced User Interface Software in the amount of \$83,626.70 was approved.

* * * * *

Item 20, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION OF ONE (1) BOMB SUIT AND ONE (1) BOMB SUIT HELMET VALUED AT \$18,994.51 FROM THE OKLAHOMA OFFICE OF HOMELAND SECURITY TO BE USED BY THE POLICE DEPARTMENT HAZARDOUS DEVICES UNIT.

Councilmember Cubberley moved that a donation of one (1) bomb suit and one (1) bomb helmet valued at \$18,994.51 from the Oklahoma Office of Homeland Security to be used by the Police Department Hazardous Devices Unit be accepted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. TMP-93 dated September 2, 2010, by Jim Spearman

and the question being upon accepting a donation of one (1) bomb suit and one (1) bomb helmet valued at \$18,994.51 from the Oklahoma Office of Homeland Security to be used by the Police Department Hazardous Devices Unit, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a donation of one (1) bomb suit and one (1) bomb helmet valued at \$18,994.51 from the Oklahoma Office of Homeland Security to be used by the Police Department Hazardous Devices Unit was accepted.

* * * * *

Item 21, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION OF TWO (2) MOUNTAIN BIKES VALUED AT \$1,400 FROM THE NORMAN TARGET STORE TO BE USED BY THE NORMAN POLICE DEPARTMENT.

Councilmember Cubberley moved that a donation of two (2) mountain bikes valued at \$1,400 from the Norman Target Store to be used by the Norman Police Department be accepted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. TMP-92 dated September 1, 2010, by Major Kent Ritchie

and the question being upon accepting a donation of two (2) mountain bikes valued at \$1,400 from the Norman Target Store to be used by the Norman Police Department, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a donation of two (2) mountain bikes valued at \$1,400 from the Norman Target Store to be used by the Norman Police Department was accepted.

* * * * *

Item 22, being:

PERMANENT EASEMENT NO. E-1011-16: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT DONATED BY NORMAN PROPERTY DEVELOPMENT, L.L.C., IN CONNECTION WITH THE 2010 DRAINAGE PROJECTS.

Councilmember Cubberley moved that Permanent Easement No. E-1011-16 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. E-1011-16 dated September 1, 2010, by Bob Hanger
2. Location map
3. Permanent Easement No. E-1011-16 with Exhibit A, location map

and the question being upon accepting Permanent Easement No. E-1011-16 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Permanent Easement No. E-1011-16 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 23, being:

TEMPORARY EASEMENT NO. E-1011-19: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT DONATED BY NORMAN PROPERTY DEVELOPMENT, L.L.C., IN CONNECTION WITH THE FYE 2010 DRAINAGE PROJECT.

Councilmember Cubberley moved that Temporary Easement No. E-1011-19 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. E-1011-19 dated September 1, 2010, by Bob Hanger
2. Location map
3. Temporary Easement No. E-1011-19 with location map

and the question being upon accepting Temporary Easement No. E-1011-19 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1011-19 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 24, being:

CONSIDERATION OF A FINAL PLAT FOR MURDOCK VILLAGE ADDITION, A REPLAT OF A PORTION OF LOT 1 AND LOT 1A, BLOCK 3, NORMANDY ACRES FIRST ADDITION, GENERALLY LOCATED SOUTH AND WEST OF THE CORNER OF WEST MAIN STREET AND 24TH AVENUE S.W.

Councilmember Cubberley moved that the final plat for Murdock Village Addition, a replat of a portion of Lot 1 and Lot 1A, Block 3, Norman Acres First Addition, be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1011-2 dated July 13, 2010, by Ken Danner
2. Item description
3. Location map
4. Staff Report dated August 12, 2010, recommending approval
5. Final plat
6. Site plan
7. Preliminary plat
8. Pertinent excerpts from Planning Commission minutes of August 26, 2010

and the question being upon approving the final plat for Murdock Village Addition, a replat of a portion of Lot 1 and Lot 1A, Block 3, Norman Acres First Addition, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the final plat for Murdock Village Addition, a replat of a portion of Lot 1 and Lot 1A, Block 3, Norman Acres First Addition, were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final plat was directed.

* * * * *

Item 25, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$37,665.81 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TORNADO RELATED DAMAGE DURING MAY 2010.

Councilmember Cubberley moved that reimbursement of funds in the amount of \$37,665.81 from FEMA for tornado related damage during May 2010 be accepted and Other Revenue/FEMA Reimbursements (010-0000-334.13-28) be increased by \$37,665.81, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. OK-DR-1917 dated August 17, 2010, by James Fullingim

and the question being upon accepting reimbursement of funds in the amount of \$37,665.81 from FEMA for tornado related damage during May 2010 and upon the subsequent increase, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and reimbursement of funds in the amount of \$37,665.81 from FEMA for tornado related damage during May 2010 accepted; and Other Revenue/FEMA Reimbursements (010-0000-334.13-28) was increased by \$37,665.81.

* * * * *

Item 26, being:

SPECIAL CLAIM NO. SC-1011-4: A CLAIM SUBMITTED BY LEON WASHINGTON IN THE REDUCED AMOUNT OF \$3,000 FOR DAMAGES TO HIS VEHICLE AND MEDICAL EXPENSES DUE TO AN ACCIDENT WITH A POLICE VEHICLE.

Councilmember Cubberley moved that Special Claim No. SC-1011-4 be approved and payment in the reduced amount of \$3,000 be directed contingent upon obtaining a Release and Covenant Not to Sue from Leon Washington, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. SC-1011-4 dated September 1, 2010, by Jeanne Snider
2. Special Claim No. SC-1011-4 dated March 2, 2010, submitted by Leon Washington, Jr., in the amount of \$22,500
3. Letter dated March 26, 2010, from James J. Taylor, Taylor, Lucas, Loeke, and Corbin, Attorneys at Law, to Brenda Hall, City Clerk
4. Memorandum dated March 29, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney, and Phil Cotten, Police Chief

Participants in discussion

1. Mr. Phil Cotten, Police Chief
2. Mr. Mike White, Fleet Superintendent

and the question being upon approving Special Claim No. SC-1011-4 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Special Claim No. SC-1011-4 approved; and payment in the reduced amount of \$3,000 was directed contingent upon obtaining a Release and Covenant Not to Sue from Leon Washington.

* * * * *

Item 27, being:

CONTRACT NO. K-1011-54: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SOONER THEATRE, INC., IN THE AMOUNT OF \$65,274 FOR THE OPERATION OF SOONER THEATRE LOCATED AT 101 EAST MAIN STREET.

Councilmember Cubberley moved that Contract No. K-1011-54 with Sooner Theatre, Inc., in the amount of \$65,274 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. K-1011-54 dated August 31, 2010, by Leah Messner
- 2. Contract No. K-1011-54

Participants in discussion

- 1. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
- 2. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon approving Contract No. K-1011-54 with Sooner Theatre, Inc., in the amount of \$65,274 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and Contract No. K-1011-54 with Sooner Theatre, Inc., in the amount of \$65,274 approved; and the execution thereof was authorized.

* * * * *

Item 28, being:

CONTRACT NO. K-1011-58: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CARRINGTON PLACE PROPERTY OWNERS ASSOCIATION TO PERMIT THE ASSOCIATION TO INSTALL LANDSCAPING ON TWO TRAFFIC CIRCLES ON CARRINGTON LANE AT ITS INTERSECTIONS WITH WARRINGTON WAY AND WHITMERE COURT.

Councilmember Cubberley moved that Contract No. K-1011-58 with Carrington Place Property Owners Association be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. K-1011-58 dated August 31, 2010, by Michael Rayburn
- 2. Contract No. K-1011-58
- 3. Location map
- 4. Insurance Certificate for Carrington Place Owners Association, Inc., c/o Reliance Property Management from August 27, 2010, to August 27, 2011, from State Farm Fire and Casualty Company
- 5. Insurance Certificate for Carrington Place Owners from August 27, 2010, to August 27, 2011, from State Farm Fire and Casualty Company

and the question being upon approving Contract No. K-1011-58 with Carrington Place Property Owners Association and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and Contract No. K-1011-58 with Carrington Place Property Owners Association approved; and the execution thereof was authorized.

* * * * *

Item 29, being:

CONTRACT NO. K-1011-68: A PIPELINE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BURLINGTON NORTHERN SANTA FE (BNSF) RAILWAY COMPANY IN THE AMOUNT OF \$5,844 IN ORDER TO INSTALL A FIBER OPTIC CONDUIT UNDER RAILROAD RIGHT-OF-WAY IN CONNECTION WITH THE LINDSEY STREET WIDENING PROJECT FROM CLASSEN BOULEVARD TO JENKINS AVENUE.

Councilmember Cubberley moved that Contract No. K-1011-68, a pipeline license agreement with BNSF Railway Company, in the amount of \$5,844 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-68 dated September 1, 2010, by Lonnie Ferguson
2. Contract No. K-1011-68 with Exhibit "A," location drawing/schematics
3. Location map
4. Purchase Requisition No. 0000175803 dated September 1, 2010, in the amount of \$5,844 to BNSF Railway Company

and the question being upon approving Contract No. K-1011-68, a pipeline license agreement with BNSF Railway Company, in the amount of \$5,844 and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1011-68, a pipeline license agreement with BNSF Railway Company, in the amount of \$5,844 approved; and the execution thereof was authorized.

* * * * *

Item 30, being:

CONSIDERATION OF THE ACCEPTANCE OF AN URBAN AND COMMUNITY FORESTRY ASSISTANCE GRANT FROM THE OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY IN THE AMOUNT OF \$10,000 FOR THE PURPOSE OF HIRING CONTRACTUAL FORESTRY SERVICES FOR THE PARKS AND RECREATION DEPARTMENT, APPROVAL OF CONTRACT NO. K-1011-69, AND BUDGET APPROPRIATION.

Councilmember Cubberley moved that an Urban and Community Forestry Assistance Grant from the Oklahoma Department of Agriculture, Food, and Forestry Department in the amount of \$10,000 for the purpose of hiring contractual forestry services be accepted; Contract No. K-1011-69 be approved; execution of the contract be authorized; \$10,000 be appropriated from Special Grant Fund Balance (022-0000-253.20-00) to Project No. PF0002, Urban Forestry Staff Grant, Professional Services (022-7074-452.40-99); and, upon reimbursement, Forestry Grant Revenue (022-0000-331.13-59) be increased by \$10,000, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-69 dated August 26, 2010, by Suzanne Terry
2. Contract No. K-1011-69

and the question being upon accepting an Urban and Community Forestry Assistance Grant from the Oklahoma Department of Agriculture, Food, and Forestry Department in the amount of \$10,000 for the purpose of hiring contractual forestry services and upon the subsequent approval, authorization, appropriation, and increase, a vote was taken with the following result:

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

Item 30, continued:

The Mayor declared the motion carried and an Urban and Community Forestry Assistance Grant from the Oklahoma Department of Agriculture, Food, and Forestry Department in the amount of \$10,000 for the purpose of hiring contractual forestry services accepted; Contract No. K-1011-69 was approved; the execution of the contract was authorized; \$10,000 was appropriated from Special Grant Fund Balance (022-0000-253.20-00) to Project No. PF0002, Urban Forestry Staff Grant, Professional Services (022-7074-452.40-99); and, upon reimbursement, Forestry Grant Revenue (022-0000-331.13-59) will be increased by \$10,000.

* * * * *

Councilmember Kovach asked that he be allowed to abstain from voting on Item 31 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Kovach be allowed to abstain from voting on Item 31 due to a conflict of interest, which motion was duly seconded by Councilmember Quinn; and the question being upon allowing Councilmember Kovach to abstain from voting on Item 31 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor declared the motion carried and Councilmember Kovach was allowed to abstain from voting on Item 31 due to a conflict of interest.

* * * * *

Item 31, being:

CONTRACT NO. K-1011-70: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TOM'S QUALITY CONSTRUCTION IN THE AMOUNT OF \$43,055 FOR THE MOORE-LINDSAY HOUSE EXTERIOR PAINTING PROJECT AND ADOPTION OF RESOLUTION NO. R-1011-28.

Councilmember Cubberley moved that Contract No. K-1011-70 with Tom's Quality Construction in the amount of \$43,055 be approved, the execution thereof be authorized, and Resolution No. R-1011-28 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-70 dated August 26, 2010, by James Briggs, Park Planner
2. Tabulation of quotes dated August 25, 2010, for the Moore-Lindsay House Exterior Painting Project
3. Contract No. K-1011-70
4. Resolution No. R-1011-28

and the question being upon approving Contract No. K-1011-70 with Tom's Quality Construction in the amount of \$43,055 and upon the subsequent authorization and adoption, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1011-70 with Tom's Quality Construction in the amount of \$43,055 approved; the execution thereof was authorized and Resolution No. R-1011-28 was adopted.

* * * * *

Item 32, being:

CONSIDERATION OF THE ACCEPTANCE OF AN ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) GRANT IN THE AMOUNT OF \$205,143 FOR THREE (3) COMPRESSED NATURAL GAS (CNG) VEHICLES AND ONE (1) LIQUID PROPANE ZERO TURN MOWER FOR THE FLEET MAINTENANCE DIVISION, APPROVAL OF CONTRACT NO. K-1011-72, AND BUDGET APPROPRIATION.

Councilmember Cubberley moved that a grant from ACOG in the amount of \$205,143 for three (3) CNG vehicles and one (1) liquid propane zero turn mower for the Fleet Maintenance Division be accepted; Contract No. K-1011-72 be approved; execution of the contract be authorized; \$90,729 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Service Equipment/Trucks and Vans (022-5080-433.50-03), \$68,758, Service Equipment/Heavy Duty (022-5080-433.50-08), \$21,232, and Service Equipment/Trucks and Vans (010-5071-435.50-03), \$739, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-72 dated September 1, 2010, by Mike White with attached table for estimated cost and savings for the four vehicles
2. Contract No. K-1011-72
3. City of Norman Application for Association of Central Oklahoma Governments (ACOG) Public Fleet Conversion Grant Program, Round 2, dated May 19, 2010 with Resolution No. R-0910-128
4. City of Norman Alternative Fuel Program and Vehicle Replacements dated February, 2009
5. Association of Central Oklahoma Governments, 2009 Public Fleet Conversion Grants, Project Change of Scope Request, dated July 23, 2010
6. Quote No. 13 dated May 19, 2010, in the amount of \$350,000 from J & R Equipment, L.L.C., to City of Norman
7. Sales Receipt No. 48742 dated May 20, 2010, in the amount of \$13,968.83 from Metro Turf Outdoor Power Equipment, to Mike White, Fleet Management

and the question being upon accepting a grant from ACOG in the amount of \$205,143 for three (3) CNG vehicles and one (1) liquid propane zero turn mower for the Fleet Maintenance Division and upon the subsequent approval, authorization, and appropriation, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and a grant from ACOG in the amount of \$205,143 for three (3) CNG vehicles and one (1) liquid propane zero turn mower for the Fleet Maintenance Division was accepted; Contract No. K-1011-72 was approved; execution of the contract was authorized; and \$90,729 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Service Equipment/Trucks and Vans (022-5080-433.50-03), \$68,758, Service Equipment/Heavy Duty (022-5080-433.50-08), \$21,232, and Service Equipment/Trucks and Vans (010-5071-435.50-03), \$739.

* * * * *

Item 33, being:

CONSIDERATION OF THE CITY'S ATTORNEY RECOMMENDATION FOR APPROVAL OF A COURT ORDER TOTALING \$40,604.58 REGARDING MARK CASTELL VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2009-15620 R.

Councilmember Cubberley moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling \$40,604.58 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. 2009-15620 R dated August 31, 2010, by Rebecca Frazier with Attachment No. One, payments required to comply with the Court Order
2. Workers' Compensation Court Order No. WCC 2009-15620R, filed August 23, 2010
3. Purchase Requisition No. 0000175524 dated August 25, 2010, in the amount of \$15,048 to Mark Castell and William Woodson
4. Purchase Requisition No. 0000175525 dated August 25, 2010, in the amount of \$786.60 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000175527 dated August 25, 2010, in the amount of \$294.98 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000175533 dated August 25, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000175534 dated August 25, 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, Butler, 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 totaling \$40,604.58 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 34, being:

CONSIDERATION OF THE CITY'S ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER TOTALING \$7,923.91 REGARDING ERNIE MARTIN JENKINS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2009-12760 L.

Councilmember Cubberley moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling \$7,923.91 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record:

1. Text File No. 2009-12760L dated September 3, 2010, by Blaine Nice
2. Workers' Compensation Court Order No. WCC 2009-12760L filed September 1, 2010
3. Purchase Requisition No. 0000175885 dated September 3, 2010, in the amount of \$7,524 to Ernie Jenkins and Musser and Kouri
4. Purchase Requisition No. 0000175886 dated September 3, 2010, in the amount of \$150.48 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000175888 dated September 3, 2010, in the amount of \$56.43 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000175889 dated September 3, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000175890 dated September 3, 2010, in the amount of \$118 to Cleveland County Court Clerk

Item 34, continued:

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

YEAS: Councilmembers Atkins, Butler,
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 totaling \$7,923.91 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 35, being:

CONSIDERATION OF THE CITY'S ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER TOTALING \$5,582.60 REGARDING ALLEN SHELTON VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2008-12578 L.

Councilmember Cubberley moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling \$5,582.60 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record:

1. Text File No. 2008-12578X dated August 31, 2010, by Blaine Nice
2. Workers' Compensation Court Order No. WCC 2008-12758X filed August 24, 2010
3. Purchase Requisition No. 0000175544 dated August 25, 2010, in the amount of \$5,582.60 to Allen Shelton and John R. Colbert
4. Purchase Requisition No. 0000175545 dated August 25, 2010, in the amount of \$104.91 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000175546 dated August 25, 2010, in the amount of \$39.34 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000175547 dated August 25, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000175548 dated August 25, 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, Butler,
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 totaling \$5,582.60 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 36, being:

CONSIDERATION OF THE CITY'S ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER TOTALING \$76,274.23 REGARDING JONATHAN C. STAMPER VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2010-01029 L.

Councilmember Cubberley moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling \$76,274.23 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record:

1. Text File No. 2010-01029L dated August 31, 2010, by Blaine Nice with Attachment No. One, payments required to comply with the Court Order
2. Workers' Compensation Court Order No. WCC 2010-01029L, Order Awarding the Nature and Extent of Permanent Partial Disability Benefits and Disfigurement, filed April 28, 2010
3. Workers' Compensation Court Order No. WCC 2010-01029L, Order on Appeal Affirming the Decision of the Trial Court, filed August 18, 2010
4. Purchase Requisition No. 0000175594 dated August 26, 2010, in the amount of \$36,246.59 to Jonathan Stamper and Bill Woodson
5. Purchase Requisition No. 0000175595 dated August 26, 2010, in the amount of \$1,333.80 to Workers' Compensation Administration Fund Tax
6. Purchase Requisition No. 0000175596 dated August 26, 2010, in the amount of \$556.53 to Special Occupational Health and Safety Fund
7. Purchase Requisition No. 0000175597 dated August 26, 2010, in the amount of \$75 to Workers' Compensation Court
8. Purchase Requisition No. 0000175598 dated August 26, 2010, in the amount of \$119.30 to Cleveland County Court Clerk

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

YEAS:	Councilmembers Atkins, Butler, 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 totaling \$76,274.23 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 37, being:

RESOLUTION NO. R-1011-33: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$75,600 FROM THE PUBLIC SAFETY SALES TAX FUND IN ORDER TO COMPLETE THE PURCHASE OF POLICE VEHICLES FOR FYE 2011.

Councilmember Cubberley moved that Resolution No. R-1011-33 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1011-33 dated August 18, 2010, by Suzanne Krohmer
2. Resolution No. R-1011-33

and the question being upon adopting Resolution No. R-1011-33, a vote was taken with the following result:

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

NAYES:	None
--------	------

The Mayor declared the motion carried and Resolution No. R-1011-33 was adopted.

* * * * *

Item 38, being:

RESOLUTION NO. R-1011-35: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$790 FROM THE ROOM TAX FUND BALANCE; \$84,945 FROM THE GENERAL FUND BALANCE; \$59,787 FROM THE CAPITAL FUND BALANCE; \$759 FROM THE NEW DEVELOPMENT EXCISE FUND BALANCE; \$95 FROM THE HALL PARK DEBT SERVICE FUND BALANCE; AND \$160 FROM THE DEBT SERVICE FUND BALANCE TO CLEAR NEGATIVE FYE 2010 EXPENDITURE BALANCES.

Councilmember Cubberley moved that Resolution No. R-1011-35 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1011-35 dated August 31, 2010, by Suzanne Krohmer
2. Resolution No. R-1011-35

and the question being upon adopting Resolution No. R-1011-35, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1011-35 was adopted.

* * * * *

Item 39, being:

PROCLAMATION NO. P-1011-2: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, OCTOBER 10, 2010, AS CROP HUNGER WALK DAY IN THE CITY OF NORMAN.

Councilmember Cubberley moved that receipt of Proclamation No. P-1011-2 proclaiming Sunday, October 10, 2010, as Crop Hunger Walk Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. P-1011-2 dated August 31, 2010
2. Proclamation No. P-1011-2

Participants in discussion

1. Mr. Ed Kearns accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-2 proclaiming Sunday, October 10, 2010, as Crop Hunger Walk Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1011-2 proclaiming Sunday, October 10, 2010, as Crop Hunger Walk Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 40, being:

PROCLAMATION NO. P-1011-4: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SEPTEMBER 17 THROUGH 23, 2010, AS CONSTITUTION WEEK IN THE CITY OF NORMAN.

Councilmember Cubberley moved that receipt of Proclamation No. P-1011-4 proclaiming September 17 through 23, 2010, as Constitution Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. P-1011-4 dated September 8, 2010
2. Proclamation No. P-1011-4

Participants in discussion

1. Ms. Christina McCurtain, Registrar of the Black Beaver Chapter of the Daughters of the American Revolution, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-4 proclaiming September 17 through 23, 2010, as Constitution Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1011-4 proclaiming September 17 through 23, 2010, as Constitution Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 41, being:

PROCLAMATION NO. P-1011-5: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SEPTEMBER 20 THROUGH 24, 2010, AS SENIOR ADULT DAY SERVICES WEEK IN THE CITY OF NORMAN.

Councilmember Cubberley moved that receipt of Proclamation No. P-1011-5 proclaiming the week of September 20 through 24, 2010, as Senior Adult Day Services Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. P-1011-5 dated September 8, 2010
2. Proclamation No. P-1011-5

Participants in discussion

1. Ms. Tammy Vaughn, Executive Director of Full Circle Adult Day Center, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-5 proclaiming the week of September 20 through 24, 2010, as Senior Adult Day Services Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1011-5 proclaiming the week of September 20 through 24, 2010, as Senior Adult Day Services Week in the City of Norman.

* * * * *

Item 42, being:

CONTRACT NO. K-1011-75: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA; THE NORMAN TAX INCREMENT FINANCE AUTHORITY; UNIVERSITY NORTH PARK, L.L.C.; UNIVERSITY TOWN CENTER, L.L.C.; NORMAN ECONOMIC DEVELOPMENT COALITION; AND THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC., FOR THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT AGREEMENT.

Acting as the City Council and Norman Tax Increment Finance Authority, Councilmember Quinn moved that Contract No. K-1011-75 with University North Park, L.L.C.; University Town Center, L.L.C.; Norman Economic Development Coalition; and University of Oklahoma Foundation, Inc.; for the University North Park Economic Development Agreement be postponed until September 21, 2010, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-75 dated September 9, 2010, by Kathryn Walker
2. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
3. Executive Summary of the Proposed University North Park Economic Development Agreement
4. Contract No. K-1011-75 with Exhibit A, NEDC Development Agreement

and the question being upon postponing Contract No. K-1011-75 with University North Park, L.L.C.; University Town Center, L.L.C.; Norman Economic Development Coalition; and University of Oklahoma Foundation, Inc.; for the University North Park Economic Development Agreement, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-1011-75 with University North Park, L.L.C.; University Town Center, L.L.C.; Norman Economic Development Coalition; and University of Oklahoma Foundation, Inc.; for the University North Park Economic Development Agreement was postponed until September 21, 2010.

* * * * *

Item 43, being:

RESOLUTION NO. R-1011-39: A RESOLUTION OF THE NORMAN TAX INCREMENT FINANCE AUTHORITY APPROVING CONCURRENCE IN AGREEMENT OF THE NORMAN ECONOMIC DEVELOPMENT COALITION TO FINANCE THE ACQUISITION OF PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, WITHIN THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT PROJECT.

Acting as the Norman Tax Increment Finance Authority, Trustee Dillingham moved that Resolution No. R-1011-39 be postponed until September 21, 2010, which motion was duly seconded by Trustee Quinn;

Items submitted for the record

1. Text File No. R-1011-39 dated September 9, 2010, by Kathryn Walker
2. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
3. Resolution No. R-1011-39
4. Proposed Loan Term Sheet dated July 12, 2010, from Chuck R. Thompson, President, Chief Executive Officer, Republic Bank and Trust, to Don M. Wood, Executive Director, Norman Economic Development Coalition, Inc.
5. Final Plat of University North Park Corporate Center Addition, Section 1
6. Site Development Plan for University North Park Corporate Center Addition, Section 1
7. Location map of University North Park Corporate Center Addition, Section 1, a Planned Unit Development
8. Revised Preliminary Plat of University North Park

Item 43, continued:

and the question being postponing Resolution No. R-1011-39 until September 21, 2010, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Resolution No. R-1011-39 was postponed until September 21, 2010.

* * * * *

Item 44, being:

RESOLUTION NO. R-1011-40: A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE NORMAN TAX INCREMENT FINANCE AUTHORITY (THE "AUTHORITY") ISSUING ONE OR MORE SERIES OF ITS TAX INCREMENT REVENUE NOTES (COLLECTIVELY, THE "TIF NOTES"); APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE AUTHORITY ISSUING ONE OR MORE SERIES OF ITS ECONOMIC DEVELOPMENT REVENUE NOTES (COLLECTIVELY, THE "DEVELOPMENT NOTES"); WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID TIF NOTES AND SAID DEVELOPMENT NOTES AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID TIF NOTES AND SAID DEVELOPMENT NOTES; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURES AUTHORIZING THE ISSUANCE OF SAID TIF NOTES AND SAID DEVELOPMENT NOTES; APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT TO REMIT FUNDS AND SECURITY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO THE PLEDGE OF CERTAIN SALES TAX INCREMENT REVENUES AND AD VALOREM TAX INCREMENT REVENUES TO THE REPAYMENT OF THE TIF NOTES; APPROVING AND AUTHORIZING EXECUTION OF ONE OR MORE SECURITY AGREEMENTS PERTAINING TO THE REPAYMENT OF THE DEVELOPMENT NOTES; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Quinn moved that Resolution No. R-1011-40 be postponed until September 21, 2010, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. R-1011-40 dated September 9, 2010, by Kathryn Walker
2. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
3. Resolution No. R-1011-40 with Certificate of City Council Action

and the question being postponing Resolution No. R-1011-40 until September 21, 2010, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1011-40 was postponed until September 21, 2010.

* * * * *

Item 45, being:

RESOLUTION NO. R-1011-41: A RESOLUTION AUTHORIZING THE NORMAN TAX INCREMENT FINANCE AUTHORITY (THE "AUTHORITY") TO ISSUE ONE OR MORE SERIES OF TAX INCREMENT REVENUE NOTES (COLLECTIVELY, THE "TIF NOTES"); IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,250,000; AUTHORIZING THE AUTHORITY TO ISSUE ONE OR MORE SERIES OF ECONOMIC DEVELOPMENT REVENUE NOTES (COLLECTIVELY, THE "DEVELOPMENT NOTES") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,250,000; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE TIF NOTES AND THE DEVELOPMENT NOTES TO BE SOLD ON A NEGOTIATED BASIS; APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT TO REMIT FUNDS AND SECURITY AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO A PLEDGE OF CERTAIN SALES TAX INCREMENT REVENUE AND AD VALOREM TAX INCREMENT REVENUE TO THE REPAYMENT OF THE TIF NOTES; APPROVING AND AUTHORIZING EXECUTION OF ONE OR MORE SECURITY AGREEMENTS PERTAINING TO THE REPAYMENT OF THE DEVELOPMENT NOTES; APPROVING AND AUTHORIZING EXECUTION OF GENERAL BOND INDENTURES AND SERIES SUPPLEMENTAL NOTE INDENTURES, AS APPROPRIATE (COLLECTIVELY, THE "INDENTURES") AUTHORIZING THE ISSUANCE AND SECURING THE PAYMENT OF THE TIF NOTES AND THE DEVELOPMENT NOTES; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURES; AUTHORIZING AND DIRECTING THE EXECUTION OF THE TIF NOTES AND THE DEVELOPMENT NOTES, AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Acting as the Norman Tax Increment Finance Authority, Trustee Quinn moved that Resolution No. R-1011-41 be postponed until September 21, 2010, which motion was duly seconded by Trustee Butler;

Items submitted for the record

1. Text File No. R-1011-41 dated September 9, 2010, by Kathryn Walker
2. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
3. Resolution No. R-1011-41 with Certificate of Authority Action

and the question being postponing Resolution No. R-1011-41 until September 21, 2010, a vote was taken with the following result:

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

The Chairman declared the motion carried and Resolution No. R-1011-41 was postponed until September 21, 2010.

* * * * *

MISCELLANEOUS DISCUSSION

University North Park Tax Increment Finance District. Mr. Scott St. Arnauld, American Federation of State, County, and Municipal Employees (AFSCME), International Union Representative, read a statement which questioned whether or not the City had financial problems and the possibility of lay off of City employees while using funds for the economic development portion of the University North Park Tax Increment Finance District.

Items submitted for the record

1. Presentation dated September 14, 2010, to the City Council, City of Norman, Oklahoma, by Scott St. Arnauld, AFSCME International Union Representative.

Mr. Roger Gallagher, 1522 East Boyd Street, said he went to the TIF Oversight Committee today. He said the meeting took place although there was no agenda posted and it was not on the website. He said contacted the City Clerk's Office and was told there was no meeting on the calendar. He said two City attorneys were present at the meeting and he wanted an explanation why illegal meeting took place. He said he had a hard time believing this was a simple mistake and the citizens deserve a simple explanation.

Mr. Brenda Hall, City Clerk, assured Mr. Gallagher that it was a clerical error. She said this was a Special Meeting of the TIF Oversight Committee that was called last week, not the regularly scheduled meeting was scheduled for September 21st. She said an agenda was sent out to the TIF Oversight Committee and emailed to a member of her Staff to be posted, but that person was on vacation and it did not get posted. It was a simple oversight and was not caught until today when we received your phone call and Staff realized that this Special Meeting was not posted. She said the agenda is prepared by another department in the City and the person he spoke with on the telephone was not aware of the meeting. She said when the error was discovered, it was decided the best course of action was to reconvene the meeting when the agenda could be posted in compliance with the Open Meeting Act.

Councilmember Cubberley asked the City Attorney to address the legality of this meeting.

Mr. Jeff Bryant, City Attorney, said it was not an illegal meeting as this particular committee is not subject to the Open Meeting Act by definition and although the City has a practice of posting in accordance with the Open Meetings Act for all committees, legally, the 48 hour notice was not required for this committee. He went on to say while the meeting was a legal meeting, in order to comply with Council's desire to post all meetings so the public has the opportunity to attend, tonight's action was postponed so that the TIF Oversight Committee could reconvene in accordance with the Open Meetings Act.

Ms. Ann Gallagher, 1522 East Boyd Street, said she would like to know the difference between boards, commissions, and committees. She said she was on a Board and those notices had to be posted 48 hours prior to the meeting.

Mr. Jeff Bryant, said it one would need to look at the definition of what type of board and committee under the Open Meetings Act is subject to the act and generally it is a board or a committee that has decision making authority and if it is just a recommendatory committee, generally, it is not required under the Open Meetings Act. He said this Council has expressed their commitment to the Open Meetings Act principles and has extended those principles to several boards and committees. He said the resolution that empowered this specific committee did not have a provision that required compliance with the Open Meeting Act.

Mayor Rosenthal reiterated that the City's practice is to follow the Open Meeting Act.

*

Fall Cleanup. Mr. W.T. Farrow, Post Office Box 844, Oklahoma City, said the annual Fall Cleanup would begin in a few weeks and asked Council to get involved and talk with citizens about what a good job City employees do.

*

Miscellaneous Discussion, continued:

Options to Reduce Water Fund Costs. Mr. Dale Hartman, 1023 Carlisle Circle, said the City Council Finance Committee met on September 2, 2010, and an article was published in the Norman Transcript listing proposed ideas to offset the budgetary crisis because of the rate hike failure. He said he took exception to three of those options. He said the first was to stop picking up polycarts in the alleyways because it wasted time and gas and why was the City doing it if it was. He said the second was the purchase of water from Oklahoma City at a cost of \$300,000 per year for non-emergency. He asked why we would purchase water for non-emergencies. He said the third option was reducing the water level in towers and he said that would jeopardize lives. He said he was alarmed that it was suggested because perception is everything.

Mayor Rosenthal said the meeting was held to explore all options and the options were not all possible or feasible.

Mr. Steve Lewis, City Manager, said the Finance Committee was asked to look at a number of issues with respect to the Water and Sanitation Funds. He said not only did they look at trying to reduce costs but also looked at other fees and charges. He said picking up polycarts in alleys is an issue that has been discussed several times and it would save money because the trucks would not have to travel on as many streets. He said alleys are very narrow and it causes damage to the equipment. He said this is done throughout the country and Staff will continue to look at this option. He said in July and August of each year, the City is at a maximum pumping capacity. He said it is fine when they are pumping 18 to 20 million gallons per day but when it climbs up to 22 to 23 million gallons per day, there is not enough surface water coming from Lake Thunderbird or enough well water to meet customer demands for domestic use, irrigation, and landscaping, we find ourselves purchasing water from the City of Oklahoma City on emergency basis. He said the City purchases emergency water approximately eight to ten times per year. He said the State of Oklahoma requires that if you own and operate a public water supply system, water pressures cannot be below the minimum level of 25 pounds per square inch (PSI) at the meter. The City currently operates the water system at approximately 50 pounds PSI at the meter which is double the minimum threshold and it is possible to responsibly cut back in that area and still maintain fire protection. He said this technique is used around the country and does conserve water by not wasting water. He said if you are pumping less water, it also reduces power consumption costs. He said the idea of reducing water pressure was discussed with the Finance Committee and the Committee was not interested therefore Staff is not pursuing it.

Mr. Lewis said he had received notice that the City of Oklahoma City is increasing their fee by 4% for the purchase of water purchased by the City of Norman. He said the City of Oklahoma City is also increasing their water and sanitation rates 4% for the next three years.

Ms. Jeanette Coker, 620 East Main Street, said the alleys were only in core Norman and picking up polycarts accommodates the elderly and handicapped.

Utility Rate Election. Ms. Jayne Crumpley, 423 Elm Avenue, said she was disappointed that the water and sanitation rate increase election was not successful.

*

Parking Issues in Neighborhood. Ms. Jayne Crumpley, 423 Elm Avenue, said there were ongoing problems regarding illegal parking in her neighborhood. She said there are several residents causing the problem and they have not received citations. She had spoken with Lieutenant Teuscher who had checked out these issues and had reported back to her and she appreciated that.

*

Midway Jam. Councilmember Kovach reminded everyone that this Sunday is the Midway Jam from noon to 7:00 p.m.

*

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

*

Miscellaneous Discussion, continued:

Oklahoma Department of Transportation (ODOT) Projects. Mr. Steve Lewis, City Manager, said Secretary Ridley from ODOT had spoken recently to the Norman Chamber of Commerce and announced that ODOT would be coming forward later this fall with the preferred alternatives for the new bridge and interchange designs for Interstate 35 and Main Street, Lindsey Street, and Highway 9. He said the first interchange to be constructed would be Main Street and the contract would be let in approximately twelve to fourteen months.

A Public Meeting will be held on September 30, 2010, at 6:00 p.m. at City Hall to discuss the 60th Avenue N.W./Western Avenue Project. He said the project is well underway, funding is available, and this is the last step in the environmental clearance process. He said this project included reconstructing the Norman portion and three miles of Western Avenue in the Oklahoma City limits and Oklahoma City's project will coincide with Norman's project. He said this roadway will go from two lanes to four lanes with ten foot shoulders on each side of the street to serve as a bicycle path in each direction with a new traffic signal to be installed at Indian Hills Road.

ODOT has adopted their 8-year construction work plan which includes \$4.3 billion of highway and bridge improvement projects with 23 projects located in Norman. The projects to be constructed in Norman will cost approximately \$153.8 million.

*

Outdoor Warning System. Mr. Steve Lewis, City Manager, said the installation process has been underway since voters approved the Outdoor Warning System Project. He said Ward Five has been most directly impacted to date with 45 tentative siren locations east of 24th Avenue and then the locations will move west. He said there have been citizen inquiries and Staff was working with citizens. New sirens would be installed within two weeks go from east to west and the project should be completed before the Spring Storm Season.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 7:45 p.m.

ATTEST:

City Clerk

Mayor