

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

September 28, 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 28th 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, Ezzell, Griffith, Kovach,  
Quinn, Mayor Rosenthal

ABSENT: Councilmember Dillingham

The Pledge of Allegiance was led by Roosevelt Elementary Students.

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Item 3, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM ROOSEVELT ELEMENTARY SCHOOL.

Mayor Rosenthal and Councilmember Quinn presented Citizenship Awards to Fourth Grade Students, Isha Balouch, Monica McCombs, Jenna Miller, Maci Milligan, Tanner Randall, Rob Wolfenbarger, Tao Zhu, and Fifth Grade Students, Ashleigh Hartman, Grant Hussong, Nathan McPherson, Cassidy Mulligan, Neeley Spears, Ryan Tobin, and Amanda Tucker. Ms. Beth Spears, Principal of Roosevelt Elementary School, said the students were selected by their teachers as representatives of good citizens of Roosevelt Elementary School.

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 31 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 5 through Item 31, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 5 through Item 31 were placed on the consent docket by unanimous vote.

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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; 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; CITY COUNCIL SPECIAL SESSION MINUTES OF AUGUST 31, 2010; CITY COUNCIL FINANCE COMMITTEE SPECIAL MEETING MINUTES OF SEPTEMBER 2, 2010; CITY COUNCIL STUDY SESSION MINUTES OF SEPTEMBER 7, 2010, CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT MINUTES OF SEPTEMBER 10, 2010; CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 14, 2010; CITY COUNCIL MINUTES OF SEPTEMBER 14, 2010, NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 14, 2010; NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 14, 2010; NORMAN TAX INCREMENT AUTHORITY MINUTES OF SEPTEMBER 14, 2010; AND CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 15, 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 Planning and Community Development minutes of August 13, 2010
2. City Council Study Session minutes of August 17, 2010
3. City Council Finance Committee minutes of August 18, 2010
4. Public Meeting minutes of August 19, 2010
5. City Council Conference minutes of August 24, 2010
6. City Council minutes of August 24, 2010
7. Norman Utilities Authority minutes of August 24, 2010
8. Norman Municipal Authority minutes of August 24, 2010
9. Norman Tax Increment Finance Authority minutes of August 24, 2010
10. City Council Special Session minutes of August 31, 2010
11. City Council Finance Committee Special Meeting minutes of September 2, 2010
12. City Council Study Session minutes of September 7, 2010
13. City Council Planning and Community Development minutes of September 10, 2010
14. City Council Conference minutes of September 14, 2010
15. City Council minutes of September 14, 2010
16. Norman Utilities Authority minutes of September 14, 2010
17. Norman Municipal Authority minutes of September 14, 2010
18. Norman Tax Increment Finance Authority minutes of September 14, 2010
19. City Council Finance Committee minutes of September 15, 2010

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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 6, being:

CONSIDERATION OF ORDINANCE NO. O-1011-4 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE II, SECTION 7.5-22 AND SECTION 7.5-26 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR THE FILING OF CAMPAIGN STATEMENTS AND DUTIES OF THE ENFORCEMENT AUTHORITY REGARDING CAMPAIGN STATEMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-4 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. O-1011-04 dated September 14, 2010, by Brenda Hall, City Clerk
- 2. Ordinance No. O-1011-4
- 3. Legislatively notated copy of Ordinance No. O-1011-4
- 4. Enforcement Authority Report dated March 16, 2010
- 5. Enforcement Authority minutes of January 13, January 20, February 26, March 1, March 8, July 9, and July 14, 2010
- 6. Pertinent excerpts of City Council Oversight Committee minutes of September 1, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-4 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1011-4 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1011-6 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE XXI OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN ESTABLISHING THE PROCEDURES AND POWERS OF THE GREENBELT COMMISSION AND THE STANDARDS TO BE USED BY THE COMMISSION IN THE EXERCISE OF THOSE POWERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-6 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-1011-06 dated September 16, 2010, by Kathryn Walker, Assistant City Attorney II
- 2. Ordinance No. O-1011-6
- 3. Legislatively notated copy of Ordinance No. O-1011-6
- 4. Pertinent excerpts from City Council Planning and Community Development minutes of April 9, 2010, and June 11, 2010
- 5. City Council Planning and Community Development minutes of August 17 and September 10, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-6 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1011-6 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1011-9 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 AMEND THEIR SPECIAL USE FOR A CHURCH IN THE R-3, MULTI-FAMILY DWELLING DISTRICT, FOR LOTS 7 THROUGH 10 AND 21 THROUGH 32 OF BLOCK 34, AND LOTS 5 THROUGH 16, THE WEST 15 FEET OF LOT 19, AND LOTS 20 THROUGH 26, BLOCK 35, THE ORIGINAL TOWNSITE OF NORMAN, AND LOTS 7 THROUGH 10, BLOCK 3, COLLEY'S FIRST ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (211 NORTH PORTER AVENUE)

Councilmember Kovach moved that Ordinance No. O-1011-9 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-1011-09 dated August 10, 2010, by Doug Kosciński, Current Planning Manager
- 2. Ordinance No. O-1011-9 with Exhibit A, site plan
- 3. Location map
- 4. Staff Report dated September 9, 2010, recommending approval
- 5. Pertinent excerpts from Planning Commission minutes of September 9, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-9 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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-1011-9 was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF ORDINANCE NO. O-1011-11 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 16-603(A) OF CHAPTER 16 OF THE CODE OF THE CITY OF NORMAN TO CLARIFY RECOUPMENT CALCULATIONS WHEN UTILITIES HAVE PREVIOUSLY BEEN CONSTRUCTED BY THE PROPERTY OWNER OR WHEN BOND FUNDS ARE APPLIED TO A PROJECT SUBJECT TO RECOUPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-11 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-1011-11 dated September 15, 2010, by Blaine Nice, Assistant City Attorney
- 2. Ordinance No. O-1011-11
- 3. Legislatively notated copy of Ordinance No. O-1011-11
- 4. Location map
- 5. Pertinent excerpts from City Council Study Session minutes of September 7, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-1011-11 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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-1011-11 was Introduced, read, and adopted upon First Reading by title.

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Item 10, being:

CONSIDERATION OF ORDINANCE NO. O-1011-12 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 20-544 OF CHAPTER 20 OF THE CODE OF THE CITY OF NORMAN REQUIRING A MOTOR VEHICLE KEEP A SAFE DISTANCE WHEN OVERTAKING AND PASSING OF A BICYCLE PROCEEDING IN THE SAME DIRECTION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-12 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-1011-12 dated September 15, 2010, by Jeanne Snider, Assistant City Attorney
- 2. Ordinance No. O-1011-12
- 3. Pertinent excerpts from City Council Study Session minutes of July 20, 2010
- 4. Pertinent excerpts from City Council Transportation Committee minutes of August 26, 2010

Participants in discussion

- 1. Mr. Jack Dawson, 1361 Creekside Drive, made comments

and the question being upon the Introduction and adoption of Ordinance No. O-1011-12 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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-1011-12 was Introduced, read, and adopted upon First Reading by title.

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Item 11, being:

CONSIDERATION OF ORDINANCE NO. O-1011-19 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 21-201 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN LIMITING WEEKLY YARD WASTE PICK UP TO ONE TIME PER MONTH DURING THE MONTHS OF DECEMBER, JANUARY AND FEBRUARY AND ONE TIME PER WEEK DURING THE MONTHS OF MARCH THROUGH NOVEMBER; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-19 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-1011-19 dated September 20, 2010, by Kathryn Walker, Assistant City Attorney II
- 2. Ordinance No. O-1011-19
- 3. Legislatively notated copy of Ordinance No. O-1011-19

and the question being upon the Introduction and adoption of Ordinance No. O-1011-19 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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-1011-19 was Introduced, read, and adopted upon First Reading by title.

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Item 12, being:

CONSIDERATION OF THE MAYOR’S APPOINTMENTS OF JIM RUHL TO THE BOARD OF ADJUSTMENT AND JUNA STOVALL AND RANDY LAFFOON TO THE NORMAN CONVENTION AND VISITORS BUREAU.

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

Items submitted for the record

- 1. Text File No. AP-1011-12 dated September 13, 2010

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the appointments were confirmed.

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Item 13, being:

SUBMISSION OF THE PROPOSED NOMINATION FOR APPOINTMENT OF DREW NICHOLS AS ACTING JUDGE OF THE MUNICIPAL CRIMINAL COURT FOR A TERM BEGINNING OCTOBER 12, 2010, AND ENDING JUNE 30, 2012.

Councilmember Kovach moved that receipt of the nomination be acknowledged and an agenda item be scheduled on October 12, 2010, for confirmation, which motion was duly seconded by Councilmember Cubberley; and the question being upon acknowledging receipt of the nomination and upon the subsequent scheduling, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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 nomination acknowledged; and an agenda item will be scheduled on October 12, 2010, for confirmation.

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Item 14, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF AUGUST 31, 2010.

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. Text File No. RPT-1011-15 dated August 10, 2010, by Anthony Francisco
- 2. Finance Director's Investment Report of August 31, 2010

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

Item 14, continued:

YEAS: Councilmembers Atkins, Butler, Cubberley, 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 15, being:

SUBMISSION OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST, 2010.

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. Text File No. RPT-1011-16 dated August 10, 2010, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of August, 2010

Participants in discussion

- 1. Mr. Jud Foster, Director of Parks and Recreation

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

YEAS: Councilmembers Atkins, Butler, Cubberley, 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 16, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-12 FOR THE PURCHASE OF COPPER METER YOKES FOR METERS, HDPE WATER METER BOXES, AND WATER LINE REPAIR CLAMPS FOR THE LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications on copper meter yokes and HDPE water meter boxes be accepted and the bid be awarded to American Waterworks Supply, 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-1011-12 dated July 14, 2010, by David Hager, Utilities Superintendent
2. Bid tabulation dated August 5, 2010, for Copper Meter Yokes for Water Meters and HDPE Meter Boxes with Cast Iron Lids

and the question being upon accepting all bids meeting specifications on copper meter yokes and HDPE water meter boxes and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

Item 16, continued:

The Chairman declared the motion carried and all bids meeting specifications on copper meter yokes and HDPE water meter boxes accepted; and the bid was awarded to American Waterworks Supply, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Trustee Kovach moved that all bids meeting specifications on Water Line Repair Clamps, Sections 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 29, 30, 31, and 32 be accepted and the bid be awarded to HD Supply Waterworks 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-1011-12 dated July 14, 2010, by David Hager, Utilities Superintendent
2. Bid tabulation dated August 5, 2010 for Water Line Repair Clamps, Section 1, 2 x 6-inch; Section 2, 4 x 6-inch; Section 3, 4 x 8-inch; Section 4, 4 x 12-inch; Section 5, 6 x 8-inch; Section 6, 6 x 12-inch; Section 7, 6 x 15-inch; Section 10, 6 x 30-inch; Section 11, 8 x 8-inch; Section 12, 8 x 12-inch; Section 13, 8 x 15-inch; Section 14, 8 x 20-inch; Section 15, 8 x 30-inch; Section 29, 6 x 15-inch with 3/4-inch CC; Section 30, 6 x 15-inch with 1-inch CC; Section 31, 8 x 15-inch with 3/4-inch CC; and Section 32, 8 x 15-inch with 1-inch CC

and the question being upon accepting all bids meeting specifications on Water Line Repair Clamps, Sections 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 29, 30, 31, and 32 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Chairman declared the motion carried and all bids meeting specifications on Water Line Repair Clamps, Sections 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 29, 30, 31, and 32 accepted; and the bid was awarded to HD Supply Waterworks as the lowest and best bidder meeting specifications.

Thereupon, Trustee Kovach moved that all bids meeting specifications on Water Line Repair Clamps, Sections 8, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, and 34 be accepted and the bid be awarded to Oklahoma City Winwater Works 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-1011-12 dated July 14, 2010, by David Hager, Utilities Superintendent
2. Bid tabulation dated August 5, 2010 for Water Line Repair Clamps, Section 8, 6 x 20-inch; Section 9, 6 x 24-inch; Section 16, 12 x 15-inch; Section 17, 12 x 20-inch; Section 18, 12 x 24-inch; Section 19, 12 x 30-inch; Section 20, 14 x 20-inch; Section 21, 16 x 20-inch; Section 22, 16 x 30-inch; Section 23, 24 x 24-inch; Section 24, 30 x 36-inch; Section 25, 2 x 12-inch with 3/4-inch CC; Section 26, 2 x 12-inch with 1-inch CC; Section 27, 4 x 12-inch with 3/4-inch CC; Section 28, 4 x 12-inch with 1-inch CC; Section 33, 12 x 15-inch with 3/4-inch CC; and Section 34, 12 x 15-inch with 1-inch CC

and the question being upon accepting all bids meeting specifications on Water Line Repair Clamps, Sections 8, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, and 34 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Chairman declared the motion carried and all bids meeting specifications on Water Line Repair Clamps, Sections 8, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, and 34 accepted; and the bid was awarded to Oklahoma City Winwater Works as the lowest and best bidder meeting specifications.

Item 17, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-29 FOR THE PURCHASE OF BUILDINGS AND CONTENTS INSURANCE.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$81,911 be awarded to Affiliated FM as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. BID-1011-29 dated September 10, 2010, by Clint Mercer, Chief Accountant
- 2. Bid tabulation for marketing review, bindable quotations, and compensation disclosure summary
- 3. Listing of vendors

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 Cubberley, Ezzell, Griffith, Quinn, Mayor Rosenthal	Atkins, Butler, Kovach,
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NAYES:	None
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The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$81,911 was awarded to Affiliated FM as the lowest and best bidder meeting specifications.

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Item 18, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR COMMERCE PARKWAY ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED 700 FEET NORTH OF MARKET PLACE ON THE WEST SIDE OF THE I-35 FRONTAGE ROAD.

Councilmember Kovach moved that the final site development plan and final plat for Commerce Parkway Addition, Section 2, a Planned Unit Development, be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a Traffic Impact Fee in the amount of \$2,906.20; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Text File No. FP-1011-4 dated August 10, 2010, by Ken Danner, Development Manager
- 2. Item description
- 3. Location map
- 4. Staff Report dated September 9, 2008, recommending approval
- 5. Final site development plan
- 6. Final plat
- 7. Revised preliminary plat
- 8. Pertinent excerpts from Planning Commission minutes of September 9, 2010

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

YEAS:	Councilmembers Cubberley, Ezzell, Griffith, Quinn, Mayor Rosenthal	Atkins, Butler, Kovach,
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NAYES:	None
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The Mayor declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a Traffic Impact Fee in the amount of \$2,906.20, and the filing of the final site development plan and final plat was directed.

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Item 19, being:

CONSIDERATION OF RURAL CERTIFICATE OF SURVEY NO. COS-1011-2 FOR MAYNARD ACRES SUBMITTED BY RICK MAYNARD WITH A VARIANCE TO THE MINIMUM ACREAGE REQUIREMENTS FOR TRACTS 1 AND 2 AND ACCEPTANCE OF EASEMENT NO. E-1011-20. (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 72ND AVENUE S.E. AND CEDAR LANE ROAD)

Councilmember Kovach moved that Rural Certificate of Survey No. COS-1011-2 for Maynard Acres with a variance to the minimum acreage requirements for Tracts 1 and 2 be approved, Easement No. E-1011-20 be accepted, and the filing of the rural certificate of survey and easement with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. COS-1011-2 dated July 13, 2010, by Ken Danner, Development Manager
2. Location map
3. Rural Certificate of Survey No. COS-1011-2
4. Easement No. E-1011-20 with Exhibit "A," legal description
5. Staff Report dated August 12, 2010
6. Pertinent excerpts from Planning Commission minutes of August 26, 2010

and the question being upon approving Rural Certificate of Survey No. COS-1011-2 for Maynard Acres with a variance to the minimum acreage requirements for Tracts 1 and 2 and upon the subsequent acceptance and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Rural Certificate of Survey No. COS-1011-2 for Maynard Acres with a variance to the minimum acreage requirements for Tracts 1 and 2 approved; Easement No. E-1011-20 was accepted, and the filing of the rural certificate of survey and easement with the Cleveland County Clerk was directed.

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Item 20, being:

CONSIDERATION OF RURAL CERTIFICATE OF SURVEY NO. COS-1011-3 FOR HANSMEYER ACRES SUBMITTED BY THE MCGUIRE FAMILY TRUST GENERALLY LOCATED AT THE NORTHWEST CORNER OF 36TH AVENUE N.E. AND EAST ROCK CREEK ROAD AND ACCEPTANCE OF EASEMENT NOS. E-1011-21 AND E-1011-22.

Councilmember Kovach moved that Rural Certificate of Survey No. COS-1011-3 for Hansmeyer Acres be approved, Easement Nos. E-1011-21 and E-1011-22 be accepted, and the filing of the rural certificate of survey and easements with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. COS-1011-3 dated July 13, 2010, by Ken Danner, Development Manager
2. Item description
3. Location map
4. Rural Certificate of Survey No. COS-1011-3
5. Easement No. E-1011-21 with legal description
6. Easement No. E-1011-22 with legal descriptions for Tracts A and B
7. Staff Report dated August 12, 2010, recommending approval
8. Predevelopment Summary Case No. PD-10-14 dated June 24, 2010, for the northwest corner of 36th Avenue N.E. and Rock Creek Road submitted by the McGuire Family Trust
9. Pertinent excerpts from Planning Commission minutes of August 26, 2010

Item 20, continued:

and the question being upon approving Rural Certificate of Survey No. COS-1011-3 for Hansmeyer Acres and upon the subsequent acceptance and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Rural Certificate of Survey No. COS-1011-3 for Hansmeyer Acres approved; Easement Nos. E-1011-21 and E-1011-22 were accepted and the filing of the rural certificate of survey and easements with the Cleveland County Clerk was directed.

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Item 21, being:

**CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$8,462.95 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TORNADO RELATED DAMAGE DURING MAY 2010.**

Councilmember Kovach moved that reimbursement of funds in the amount of \$8,462.95 from FEMA for tornado related damage during May 2010 be accepted and FEMA Reimbursements (010-0000-334.13-28) be increased by \$8,462.95, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. OK-DR-1917-2 dated September 9, 2010, by James Fullingim, Fire Chief

and the question being upon accepting reimbursement of funds in the amount of \$8,462.95 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, Ezzell, Griffith, Kovach,  
Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and reimbursement of funds in the amount of \$8,462.95 from FEMA for tornado related damage during May 2010 accepted; and FEMA Reimbursements (010-0000-334.13-28) was increased by \$8,462.95.

\* \* \* \* \*

Item 22, being:

**LIMITED LICENSE NO. LL-1011-5: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY, PURSUANT TO A REQUEST FROM CLEVELAND COUNTY YMCA FOR THE YMCA FREE FALL CARNIVAL EVENT, TO BE HELD ON OCTOBER 22, 2010.**

Councilmember Kovach moved that Limited License No. LL-1011-5 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. LL-1011-5 dated September 2, 2010, by Wayne Stenis, Planner II
2. Application for Limited License dated August 21, 2010, for four ground banners from the Cleveland County Family YMCA
3. Limited License No. LL-1011-5

Item 22, continued:

and the question being upon approving Limited License No. LL-1011-5 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. LL-1011-5 to place four (4) ground banners within the public rights-of-way pursuant to a request from Cleveland County YMCA approved; and the issuance thereof was authorized.

\* \* \* \* \*

Item 23, being:

LIMITED LICENSE NO. LL-1011-6: LIMITED LICENSE TO PLACE ONE (1) GROUND BANNER AND FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FRIENDS OF THE NORMAN PUBLIC LIBRARY FOR THE ANNUAL BOOK SALE TO BE HELD OCTOBER 22 THROUGH 25, 2010.

Councilmember Kovach moved that Limited License No. LL-1011-6 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. LL-1011-6 dated September 14, 2010, by Wayne Stenis, Planner II
2. Letter of request dated September 13, 2010, from Simon H. Rudnick, 2010 Book Sale Co-Chair, Friends of the Norman Library, to Brenda Hall, City Clerk
3. Application for Limited License dated September 13, 2010, for one banner and four signs from Simon H. Rudnick for the Friends of the Norman Library
4. Location map
5. Limited License No. LL-1011-6

and the question being upon approving Limited License No. LL-1011-6 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. LL-1011-6 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library approved; and the issuance thereof was authorized.

\* \* \* \* \*

Item 24, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0910-80: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION EXTENDING THE CONTRACT UNTIL SEPTEMBER 30, 2011, FOR A JOB ACCESS AND REVERSE COMMUNITY (JARC)/NEW FREEDOM PROGRAM GRANT TO PROVIDE HANDICAP ACCESSIBLE IMPROVEMENTS TO CLEVELAND AREA RAPID TRANSIT (CART) BUS STOP LOCATIONS.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0910-80 with the Oklahoma Department of Transportation extending the contract until September 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-0910-80, Amendment, dated September 15, 2010, by Jack Burdett, Engineering Assistant
2. Amendment No. One to Contract No. K-0910-80

and the question being upon Amendment No. One to Contract No. K-0910-80 with the Oklahoma Department of Transportation extending the contract until September 30, 2011, and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0910-80 with the Oklahoma Department of Transportation extending the contract until September 30, 2011, approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 25, being:

CONTRACT NO. K-1011-53: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND LITTLE RIVER ZOO IN THE AMOUNT OF \$7,200 TO BE USED FOR PUBLIC INFORMATION PROGRAMS.

Councilmember Kovach moved that Contract No. K-1011-53 with Little River Zoo in the amount of \$7,200 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-1011-53 dated September 16, 2010, by Leah Messner, Assistant City Attorney
2. Contract No. K-1011-53

and the question being upon approving Contract No. K-1011-53 with Little River Zoo in the amount of \$7,200 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0910-70 with Little River Zoo in the amount of \$7,200 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 26, being:

CONTRACT NO. K-1011-61: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND MICROCEPTION, INC., IN THE AMOUNT OF \$26,983.50 FOR THE PURCHASE, DELIVERY, INSTALLATION, CONFIGURATION AND ON-SITE TRAINING OF THE VIDEOVERSIGHT SYSTEM.

Councilmember Kovach moved that Contract No. K-1011-61 with Microception, Inc., in the amount of \$26,983.50 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-1011-61 dated August 3, 2010, by Major Jim Maisano
- 2. Contract No. K-1011-61

and the question being upon approving Contract No. K-1011-61 with Microception, Inc., in the amount of \$26,983.50 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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-1011-61 with Microception, Inc., in the amount of \$26,983.50 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 27, being:

CONTRACT NO. K-1011-73: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COLONIAL NATIONAL MORTGAGE TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 2005 OAKHURST AVENUE.

Councilmember Kovach moved that Contract No. K-1011-73 with Colonial National Mortgage 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-1011-73 dated September 7, 2010, by Linda Price, Revitalization Manager
- 2. Contract No. K-1011-73

and the question being upon approving Contract No. K-1011-73 with Colonial National Mortgage and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, 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-1011-73 with Colonial National Mortgage approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 28, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$80,500 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO INCREASE ENFORCEMENT OF SEAT BELT AND MANDATORY CHILD RESTRAINT LAWS AND TO HOST A TRAFFIC COLLISION INVESTIGATION SCHOOL, APPROVAL OF CONTRACT NO. K-1011-77, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of \$80,500 from the Oklahoma Highway Safety Office to increase enforcement of seat belt and mandatory child restraint laws and to host a Traffic Collision Investigation School be accepted; Contract No. K-1011-77 be approved; execution of the contract be authorized; \$80,500 be appropriated from Special Grant Fund Balance (022-0000-253.20-00) designating \$66,000 to Overtime-Regular (022-6019-421.21-10) and \$14,500 to Professional Services/Training and Development (022-6019-421.40-17); and upon reimbursement, Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40) be increased by \$80,500, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-77 dated September 9, 2010, by Capital Kevin Foster
2. Letter dated August 27, 2010, from Scott E. Watkins, Director, Oklahoma Highway Safety Office, to Captain Kevin Foster, Norman Police Department
3. Contract No. K-1011-77, Grant Agreement, Part I, General Provisions, Part II, Specific Agreements, Part III, and Attachment, Project Director's Report

and the question being upon accepting a grant in the amount of \$80,500 from the Oklahoma Highway Safety Office to increase enforcement of seat belt and mandatory child restraint laws and to host a Traffic Collision Investigation School and upon the subsequent approval, authorization, appropriation, and increase, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a grant in the amount of \$80,500 from the Oklahoma Highway Safety Office to increase enforcement of seat belt and mandatory child restraint laws and to host a Traffic Collision Investigation School accepted; Contract No. K-1011-77 was approved; execution of the contract was authorized; \$80,500 was appropriated from Special Grant Fund Balance (022-0000-253.20-00) designating \$66,000 to Overtime-Regular (022-6019-421.21-10) and \$14,500 to Professional Services/Training and Development (022-6019-421.40-17); and upon reimbursement, Other Revenue/Traffic & Alcohol Enforcement ( 022-0000-331.13-40) will be increased by \$80,500.

\* \* \* \* \*

Item 29, being:

CONTRACT NO. K-1011-81: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BANK OF AMERICA TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 2334 ASHWOOD LANE.

Councilmember Kovach moved that Contract No. K-1011-81 with Bank of America 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-1011-81 dated September 15, 2010, by Lisa Krieg, Grants Planner
2. Contract No. K-1011-81

and the question being upon approving Contract No. K-1011-81 with Bank of America and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-1011-81 with Bank of America approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 30, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$24,364.52 REGARDING TABITHA NATION VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2010-06033 A.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling \$24,364.52 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. 2010-06033A dated September 20, 2010, by Blaine Nice, Assistant City Attorney with Attachment No. Two, payment description
2. Workers' Compensation Court Order No. WCC 2010-06033A filed September 14, 2010
3. Purchase Requisition No. 0000176458 dated September 15, 2010, in the amount of \$11,062.92 to Tabitha Nation and Greg Barnard
4. Purchase Requisition No. 0000176460 dated September 15, 2010, in the amount of \$470.49 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000176461 dated September 15, 2010, in the amount of \$176.43 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000176462 dated September 15, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000176463 dated September 15, 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, 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 \$24,364.52 which will constitute judgment against the City of Norman was directed.

\* \* \* \* \*

Item 31, being:

RESOLUTION NO. R-1011-36: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DOWNTOWN MAIN STREET IMPROVEMENT (WEST END) AND LEGACY TRAIL EXTENSION ALONG 24TH AVENUE NW AND 36TH AVENUE NW MULTIMODAL PATH PROJECTS FOR FEDERAL SURFACE TRANSPORTATION ENHANCEMENT PROGRAM FUNDS AND PRIORITIZING THESE PROJECTS.

Councilmember Kovach moved that Resolution No. R-1011-36 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. R-1011-36 dated September 14, 2010, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1011-36
3. Location map of Downtown Main Street Improvement Project, East to West
4. Location map of Legacy Trail Extension, 24th Avenue N.W. and 36th Avenue N.W.
5. City Council Study Session minutes of September 7, 2010

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Christine Waring, 8106 East Alameda, asked questions

Item 31, continued:

and the question being upon adopting Resolution No. R-1011-36, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1011-36 was adopted.

\* \* \* \* \*

Item 32, being:

PROCLAMATION NO. P-1011-3: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2010, AS GAY, LESBIAN, BISEXUAL, AND TRANSGENDER HISTORY MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-3 proclaiming the month of October, 2010, as Gay, Lesbian, Bisexual, and Transgender Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated September 21, 2010, from the Norman Human Rights Commission to the Honorable Mayor and Council
2. Proclamation No. P-1011-3
3. Letter of support from George Henderson to Mayor City Rosenthal and City Councilmembers
4. Norman Human Rights Commission minutes of August 23, 2010

Participants in discussion

1. Mr. Michael Ridgeway, Chairman of the Human Rights Commission, accepted the proclamation and thanked the Council
2. Mr. Ed Sasnett, #4 Mockingbird Court, protestant
3. Ms. Ann Groff, 806 Mockingbird Lane, proponent
4. Mr. Bobby Cleveland, 10701 York Road, Lexington, owner of 3180 South Classen Boulevard, protestant
5. Ms. Ellen Frank, 211 East Daws Street, proponent
6. Ms. Ellen Hansen, 203 East Johnson Street, protestant
7. Ms. Eve Spaulding, 6700 103rd Avenue N.E., protestant
8. Mr. Keith Steincamp, 441 Waterfront Drive, protestant
9. Mr. Fred Pope, 3213 Summit Crossing Parkway, protestant
10. Ms. Dana Jackson, 2413 Larkhaven Street, protestant
11. Ms. Amy Venable, 1312 Glenwood Street, proponent
12. Mr. Matt Spaulding, 947 South Flood Avenue, protestant
13. Ms. Kami Day, 320 North Peters Avenue, proponent
14. Mr. Joe Love, 2116 Natchez Drive, protestant
15. Mr. Jack Dawson, 1361 Creekside Drive, proponent
16. Mr. John Covaleskie, 309 West Johnson Street, proponent
17. Ms. Mikale Pilgrim, 814 Monnett Avenue, proponent
18. Mr. Carroll Riecke, 2616 Hollywood Avenue, proponent
19. Mr. Bruce Prescott, 1706 Kiamichi Road, proponent
20. Ms. Wanda Helms, 1225 Salsbury Street, protestant
21. Ms. Mary Francis, 850C Cardinal Creek Condos, proponent
22. Ms. Alice Kloker, 813 Hoover Street, proponent
23. Mr. Joe Henning, 514 Shawnee Street, proponent
24. Mr. Michael Robbins, 1600 Ann Brandon Boulevard, protestant
25. Mr. Dave Spaulding, 6700 103rd Avenue N.E., protestant
26. Mr. Chad Williams, 1912 Pendleton Drive, protestant
27. Ms. Lisa Schmidt, 1340 Salsbury Street, Human Rights Commission member, made comments
28. Mr. Gary Cooper, 1704 East Boyd Street, protestant
29. Mr. Steve Ellis, 633 Reed Avenue, proponent
30. Mr. Rob Standridge, 4732 Sundance Court, protestant
31. Ms. Carrie Brady, 744 Elm Avenue, proponent
32. Ms. Allison Dale, 744 Elm Avenue, proponent

Item 32, continued:

Participants in discussion, continued

- 33. Mr. James Ehrlich, 3300 Riverwalk Court, protestant
- 34. Ms. Kay Ham, 504 Clearview Drive, Human Rights Commission member, proponent
- 35. Ms. Madison Robbins, 1600 Ann Brandon Boulevard, protestant
- 36. Mr. Bill Kennedy, 3105 Windward Court, protestant
- 37. Ms. Libba Smith, 1224 Avondale Drive, proponent
- 38. Mr. Fred Pope, 1501 Navajo Road, protestant
- 39. Mr. Will Wier, 1426 Beverly Hills Street, proponent
- 40. Ms. Millie Adams, 909 Goshawk Drive, proponent
- 41. Mr. Michael Holladay, 4016 Night Hawk Drive, proponent
- 42. Ms. Bette Maffucci, 752 DeBarr Avenue, proponent
- 43. Ms. Pam Sanford, 1208 Sawgrass Drive, proponent
- 44. Mr. Ed Kearns, 120 East Acres Street, proponent
- 45. Mr. James Taylor, 3633 Stonebrook Drive, Newcastle, protestant
- 46. Mr. Robert Heck, 1432 Jordan Circle, proponent
- 47. Ms. Brenda Hall, City Clerk
- 48. Mr. Jeff Bryant, City Attorney

and the question being upon acknowledging receipt of Proclamation No. P-1011-3 proclaiming the month of October, 2010, as Gay, Lesbian, Bisexual, and Transgender Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and receipt of Proclamation No P-1011-3 proclaiming the month of October, 2010, as Gay, Lesbian, Bisexual, and Transgender Month in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 33, being:

PUBLIC HEARING REGARDING THE ACCEPTANCE OF A COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT IN THE AMOUNT OF \$250,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO BE USED TO UPGRADE THE EMERGENCY COMMUNICATIONS CENTER COMPUTER AIDED DISPATCH (CAD) SYSTEM, APPROVAL OF CONTRACT NO. K-1011-78, AND BUDGET RE-APPROPRIATION AND APPROPRIATION.

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

Items submitted for the record

- 1. Text File No. K-1011-78 dated September 14, 2010, by Jim Spearman, Grants Specialist
- 2. Letter dated September 3, 2010, from Bernard K. Melekian, Director, United States Department of Justice, to Chief of Police Phil Cotten
- 3. Clearance Memorandum dated August 6, 2010, from Andrew A. Dorr, Assistant Director for Grants Administration, Lydia Nylander, Grant Program Specialist, to Chief of Police Phil Cotten
- 4. Contract No. K-1011-78, United States Department of Justice Community Oriented Policing Grant No. 2010CKWX0089

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

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

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

Item 33, continued:

Thereupon, the following persons addressed City Council:

Participants in discussion

- 1. Mr. Phil Cotten, Police Chief

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

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

Thereupon, Councilmember Kovach moved that a COPS grant in the amount of \$250,000 from the United States Department of Justice to be used to upgrade the Emergency Communications Center CAD System for the Police Department be accepted; Contract No. K-1011-78 be approved; the execution thereof be authorized; Other Revenue/COPS Grant (022-0000-331.13-14) be increased by \$250,000; \$250,000 be appropriated from the Special Grants Fund Balance (022-0000-253.20-00) into Project No. GP0013, COPS Grant, Telecommunications Equipment/Computer Software (022-6039-421.53-04); and matching funds of \$250,000 be re-appropriated from the General Fund Balance (010-0000-252.20-00) to Telecommunications Equipment/Computer Software (024-6039-421.53-04) \$184,000, and City Business and Travel, (024-6039-421.46-05) \$15,000, which motion was duly seconded by Councilmember Atkins; and the question being upon accepting a COPS grant in the amount of \$250,000 from the United States Department of Justice to be used to upgrade the Emergency Communications Center CAD System for the Police Department and upon the subsequent approval, authorization, increase, appropriation, and re-appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and a COPS grant in the amount of \$250,000 from the United States Department of Justice to be used to upgrade the Emergency Communications Center CAD System for the Police Department accepted; Contract No. K-1011-78 was approved; the execution thereof was authorized; Other Revenue/COPS Grant (022-0000-331.13-14) was increased by \$250,000; \$250,000 was appropriated from the Special Grants Fund Balance (022-0000-253.20-00) into Project No. GP0013, COPS Grant, Telecommunications Equipment/Computer Software (022-6039-421.53-04); and matching funds of \$250,000 was re-appropriated from the General Fund Balance (010-0000-252.20-00) to Telecommunications Equipment/Computer Software (024-6039-421.53-04) \$184,000, and City Business and Travel, (024-6039-421.46-05) \$15,000.

\* \* \* \* \*

Item 34, being:

PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF \$36,560 TO THE CITIES OF NORMAN AND MOORE AND CLEVELAND COUNTY FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF \$21,570 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR TRAINING AND TO PURCHASE A PATROL BUREAU TRAILER, TRAFFIC BARRICADES, A PORTABLE DIGITAL VIDEO/AUDIO RECORDER, AND A CRASH DATA RECOVERY SOFTWARE UPDATE, APPROVAL OF CONTRACT NO. K-1011-79; AND BUDGET APPROPRIATION.

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

Items submitted for the record

1. Text File No. K-1011-79 dated September 3, 2010, by Jim Spearman, Grants Specialist
2. Letter dated August 30, 2010, from James H. Burch, II, Acting Director, Bureau of Justice Assistance, Office of Justice Programs, to the Honorable Cindy Rosenthal
3. Letter dated August 30, 2010, from Michael L. Alston, Director, Department of Justice, Office of Justice Programs, Office for Civil Rights, to the Honorable Cindy Rosenthal
4. Contract No. K-1011-79, Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Grant Award No. 2010-DJ-BX-1234
5. Memorandum Incorporating NEPA Compliance in Further Developmental Stages for the City of Norman from Orbin Terry, NEPA Coordinator, Department of Justice, Office of Justice Programs, Bureau of Justice Assistance with Project Summary
6. Interlocal Agreement between the Cities of Moore and Norman and the County of Cleveland, 2009 Justice Assistance Grant (JAG) Program Award, Application 2010-H6930-OK-DJ

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

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

NAYES: None

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

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. Phil Cotten, Police Chief

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

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

NAYES: None

The Mayor declared the motion carried and the public hearing was closed.

Item 34, continued:

Thereupon, Councilmember Kovach moved that a grant in the amount of \$36,560 from DOJ/BJA through the JAG Program to be used by the Police Department be accepted; Contract No. K-1011-79 be approved; the execution thereof be authorized; Other Revenue/JAG Grant (022-0000-331.13-33) be increased by \$36,560; \$6,700 be appropriated into Project No. GP0012, Homeland Security FBI, Professional Services/Workshops and Seminars (022-6017-421.46-04), \$3,000 to Service Equipment/Trailers (022-6017-421.50-10), \$1,670 to Minor Equipment & Tools (022-6017-421.36-99), \$7,200 to Plant and Operating Equipment/Cameras and Photographic (022-6017-421.51-090), and \$3,000 to Telecommunication Equipment/Computer Software (024-6017-421.53-04); \$14,900 be transferred to Miscellaneous Pass-Thru Refunds (022-6017-421.47-54); and payment be directed in the amount of \$10,602 to the City of Moore and \$4,388 to Cleveland County upon receipt of invoices, which motion was duly seconded by Councilmember Butler; and the question being upon accepting a grant in the amount of \$36,560 from DOJ/BJA through the JAG Program to be used by the Police Department and upon the subsequent approval, authorization, increase, appropriations, transfer, and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a grant in the amount of \$36,560 from DOJ/BJA through the JAG Program to be used by the Police Department accepted; Contract No. K-1011-79 was approved; the execution thereof was authorized; Other Revenue/JAG Grant (022-0000-331.13-33) was increased by \$36,560; \$6,700 was appropriated into Project No. GP0012, Homeland Security FBI, Professional Services/Workshops and Seminars (022-6017-421.46-04), \$3,000 to Service Equipment/Trailers (022-6017-421.50-10), \$1,670 to Minor Equipment & Tools (022-6017-421.36-99), \$7,200 to Plant and Operating Equipment/Cameras and Photographic (022-6017-421.51-090), and \$3,000 to Telecommunication Equipment/Computer Software (024-6017-421.53-04); \$14,900 was transferred to Miscellaneous Pass-Thru Refunds (022-6017-421.47-54); and payment will be directed in the amount of \$10,602 to the City of Moore and \$4,388 to Cleveland County upon receipt of invoices.

\* \* \* \* \*

Item 35, being:

**ORDINANCE NO. ZO-1011-3: 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)**

Ordinance No. ZO-1011-3 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 14, 2010, Councilmember Kovach moved that Ordinance No. ZO-1011-3 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. ZO-1011-3 dated July 13, 2010, by Doug Kosciński, Current Planning Manager
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

Participants in discussion

1. Mr. Lindsey Bailey, Bailey Law Offices, 301 East Eufaula, attorney representing the applicant

Item 35, continued:

and the question being upon adopting Ordinance No. ZO-1011-3 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. ZO-1011-3 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. ZO-1011-3 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. ZO-1011-3 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. ZO-1011-3 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 36, being:

ORDINANCE NO. O-1011-10: 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 THE EVENTS.

Ordinance No. O-1011-10 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 14, 2010, Councilmember Cubberley moved that Ordinance No. O-1010-10 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Atkins;

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

Participants in discussion

1. Ms. Leah Messner, Assistant City Attorney
2. Mr. Barney Gibbs, 1011 McFarland Street, asked questions

and the question being upon adopting Ordinance No. O-1011-10 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-10 was adopted upon Second Reading section by section.

Item 36, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1011-10 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. O-1011-10 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1011-10 was adopted upon Final Reading as a whole.

\* \* \* \* \*

#### MISCELLANEOUS DISCUSSION

Gay Lesbian Bisexual Transgender (GLBT) Proclamation. Ms. Shayna Dietch, 1015 Trout Avenue, said she was a student at the University of Oklahoma (OU) and member of the OU Student Congress and that she thanked Council for their support of the GLBT History Month proclamation.

Councilmember Kovach said his faith in government has been restored this evening and he was privileged and honored to sit on the dais with each and every one of the Councilmembers. He said he knew this had been a very difficult decision and understood Councilmember Quinn's point of view and respected it. He said he admired those who had stood up and did what they thought was right in the midst of abuse and threats. He said there could not be a better person in office than one who voted for what was right when there was no personal benefit to them. He said it was important to have people on Council you could trust, whether you agreed with their opinion or not.

\*

Speed Tables. Councilmember Atkins reminded citizens that there would no need for speed tables if no one was exceeding the speed limit.

\*

Condolences to the Family of George Eyler. Councilmember Kovach expressed condolences to the family of George Eyler, who recently passed away, and that he had been an attendee of City Council meetings throughout the years.

Councilmember Cubberley said Mr. Eyler has been a regular fixture at City Council meetings during the nine and one-half years he had been on Council. He said Mr. Eyler started out complaining about the noise from "boom boxes" and speeding issues and Council attempted to take care of the issue. He offered condolences to his family and said that although Council was not always able to resolve the issue at hand, he appreciated Mr. Eyler for coming to Council.

\*

Final Term as Ward Seven Councilmember. Councilmember Cubberley said he had served on City Council for nine and one-half years and his intention when he was elected to the first term was to serve no more than two terms. He said it is a privilege to have the community and the ward vote someone into office to represent their views. He announced he would not be running for a sixth term and was saying this now to give those in Ward Seven enough time to start looking for a new voice to express the wishes of the ward. He said he had a very diverse ward with different views depending on where the neighborhood was located. He missed winning the election for his first term by three votes and was forced into a run-off. He was told while campaigning that he would not make many friends and would make many enemies and there were times when forced to vote on a controversial issue, that this was true. He said he has supporters who no longer talk to him; however, the rewards of being on Council can be great because a Councilmember gets to be a part of crafting policy and ordinances that can make a difference in people's lives. He said he has continued through five races and has been very lucky and blessed that the Ward thinks he is doing something right. He looked forward to working with any candidate, but felt it is time for a new voice, perspective, and ideas.

\*

Miscellaneous Discussion, continued:

Two Events at the Police Department. Councilmember Quinn said there would be two events at the Police Department on Saturday, October 9, 2010, from 9:00 a.m. to 12:00 noon. He said the “Shred-A-Thon” conducted in partnership with Absolute Data Shredding would be held on the south side of the Police Department and would allow disposal of up to five boxes of items at no charge. He said at the same time there will be a car seat check-up in cooperation with J.D. McCarty Center and SAFE Kids Oklahoma on the west side of the Police Department. He said there will be a limited number of car seats to be given away and encouraged citizens to attend. He appreciated Sergeant Tim Smith who is the contact person for the “Shred-A-Thon” and Sergeant Jennifer Newell who will be in charge of the car seat check-up.

\*

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

\*

Robinson Street Grade Separation Project. Mr. Steve Lewis, City Manager, said he appreciated citizens’ patience during the improvements with respect to the construction of Robinson Street underpass. He said the detour is being constructed during heavy traffic conditions. He announced Flood Avenue would be closed north of Robinson Street all day Friday to allow improvements to Flood Avenue where the detour is being constructed. In mid-October, Robinson Street will be closed for an entire week as critical improvements are made where the “shoe-fly” will be located. In November, drivers will be able to use the new detour east and west which will allow the contractor to accelerate work on the project. It is anticipated the project will be complete by September, 2011.

\* \* \* \* \*

ADJOURNMENT

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

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

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 11:23 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor