

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

April 12, 2011

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 12th day of April, 2011, at 6:35 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.

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Item 3, being:

PRESENTATION OF A CIVILIAN SERVICE MEDAL AND CERTIFICATE TO MR. BENJAMIN WILLIGE.

Mayor Rosenthal and Police Chief Phil Cotten presented a Civilian Service Medal and Award to Mr. Benjamin Willige for his personal assistance in apprehending a criminal.

Items submitted for the record

1. Text File No. TMP-128 dated March 14, 2011, by Lieutenant David Teuscher, Community Policing

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Item 4, being:

PROCLAMATION NO. P-1011-14: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2011, AS SEXUAL ASSAULT AWARENESS MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-14 proclaiming the month of April, 2011, as Sexual Assault Awareness Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. P-1011-14 dated March 14, 2011
2. Proclamation No. P-1011-14

Participants in discussion

1. Ms. Kristy Stewart, Co-Chair of the Cleveland County Sexual Assault Response Team, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-14 proclaiming the month of April, 2011, as Sexual Assault Awareness Month 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-1011-14 proclaiming the month of April, 2011, as Sexual Assault Awareness Month in the City of Norman acknowledged; and the filing thereof was directed.

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Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 29 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Butler; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 29, 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 29 were placed on the consent docket by unanimous vote.

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Item 6, being:

- CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE MINUTES OF MARCH 11, 2011
- CITY COUNCIL MINUTES OF MARCH 22, 2011
- NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 22, 2011
- NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 22, 2011
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 22, 2011
- CITY COUNCIL STUDY SESSION MINUTES OF MARCH 29, 2011

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 Committee minutes of March 11, 2011
2. City Council minutes of March 22, 2011
3. Norman Utilities Authority minutes of March 22, 2011
4. Norman Municipal Authority minutes of March 22, 2011
5. Norman Tax Increment Finance Authority minutes of March 22, 2011
6. City Council Study Session minutes of March 29, 2011

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

NAYES: None

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

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1011-46 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF EAST ROCK CREEK ROAD APPROXIMATELY ONE-HALF MILE EAST OF 36TH AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-1011-46 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-1011-46 dated February 8, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-46 with Exhibit A, site plan
3. Location map
4. Staff Report dated March 10, 2011, recommending approval
5. Preliminary plat
6. Planned Unit Development Design Statement for Tanglewoods Addition prepared by Crafton Tull with Exhibit A, Norman Land Use Plan Area Designations; Exhibit B, Preliminary Site Development Plan; Exhibit C, Topographic Map; and Exhibit D, Color Rendering
7. Protest Area Map dated March 9, 2011, containing 7.7% protest within the notification area
8. Letter of protest dated February 23, 2011, from Ken C. and Charlotte J Crawford to Planning and Community Development Department
9. Pertinent excerpts from Planning Commission minutes of March 10, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-46 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
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1011-47 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1011-47 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, AND TO GRANT SPECIAL USE FOR A CHURCH; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH OF INDIAN HILLS ROAD AND APPROXIMATELY 980 FEET EAST OF 48TH AVENUE N.W.)

Councilmember Kovach moved that Ordinance No. O-1011-47 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Item 8, continued:

Items submitted for the record

1. Text File No. O-1011-47 dated February 8, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-47 with Exhibit A, site plan
3. Location map
4. Staff Report dated March 10, 2011, recommending approval
5. Preliminary site plan
6. Norman Predevelopment Summary Case No. 10-21 dated October 28, 2010, submitted by Bridgeview United Methodist Church for property located on the south side of Indian Hills Road approximately one-half west of 36th Avenue N.W.
7. Pertinent excerpts from Planning Commission minutes of March 10, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-47 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
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1011-47 was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF THE PROPOSED FISCAL YEAR 2011-2012 CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT (COMCD) BUDGET.

Councilmember Kovach moved that the proposed Fiscal Year 2011-2012 COMCD Budget be approved and the inclusion of that amount applicable in the proposed Fiscal Year 2012 City of Norman Budget be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. RPT-1011-38 dated March 18, 2011
2. Approved COMCD Budget for FY 2011-2012

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving the proposed Fiscal Year 2011-2012 COMCD Budget 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
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NAYES:	None
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The Mayor declared the motion carried and the proposed Fiscal Year 2011-2012 COMCD Budget approved; and the inclusion of that amount applicable in the proposed Fiscal Year 2012 City of Norman Budget was directed.

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Item 10, being:

CONSIDERATION OF ACCEPTANCE OF OPTION 1 OF REQUEST FOR PROPOSAL NO. RFP-1011-55 FROM GAMETIME C/O CUNNINGHAM ASSOCIATES, INC., IN THE AMOUNT OF \$44,665.27 FOR THE EASTWOOD PARK PLAYGROUND REPLACEMENT PROJECT AND APPROVAL OF CONTRACT NO. K-1011-146, PERFORMANCE BOND NO. B-1011-80; STATUTORY BOND NO. B-1011-81, MAINTENANCE BOND NO. MB-1011-86, AND RESOLUTION NO. R-1011-96.

Councilmember Kovach moved that Option 1 of Request for Proposal No. RFP-1011-55 from GameTime c/o Cunningham Associates, Inc., in the amount of \$44,665.27 be accepted; Contract No. K-1011-146 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1011-96 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-146 dated March 9, 2011, by Mitch Miles, Park Planner
2. Summary of Proposals for Eastwood and Walnut Ridge Parks Playground Replacement Projects
3. Quote No. 68791 dated February 2, 2011, in the amount of \$44,665.27 from GameTime represented by Cunningham Associates, Inc.
4. Artist's rendering of playground equipment for Eastwood Park
5. Contract No. K-1011-146
6. Performance Bond No. B-1011-80
7. Statutory Bond No. B-1011-81
8. Maintenance Bond No. MB-1011-86
9. Resolution No. R-1011-96
10. Purchase Requisition No. 0000184213 dated March 22, 2011, in the amount of \$44,665.27 to GameTime c/o Cunningham Associates, Inc.

Participants in discussion

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

and the question being upon accepting Option 1 of Request for Proposal No. RFP-1011-55 from GameTime c/o Cunningham Associates, Inc., in the amount of \$44,665.27 and upon the subsequent approval, directive, authorization, and adoption, 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 Option 1 of Request for Proposal No. RFP-1011-55 from GameTime c/o Cunningham Associates, Inc., in the amount of \$44,665.27 accepted; Contract No. K-1011-146 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1011-96 was adopted.

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Item 11, being:

CONSIDERATION OF ACCEPTANCE OF OPTION 2 OF REQUEST FOR PROPOSAL NO. RFP-1011-55 FROM REX PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$45,000 FOR THE WALNUT RIDGE PARK PLAYGROUND REPLACEMENT PROJECT AND APPROVAL OF CONTRACT NO. K-1011-147, PERFORMANCE BOND NO. B-1011-82; STATUTORY BOND NO. B-1011-83, MAINTENANCE BOND NO. MB-1011-87, AND RESOLUTION NO. R-1011-97

Councilmember Kovach moved that Option 2 of Request for Proposal No. RFP-1011-55 from Rex Playground Equipment in the amount of \$45,000 be accepted; Contract No. K-1011-147 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1011-97 be adopted, which motion was duly seconded by Councilmember Cubberley;

Item 11, continued:

Items submitted for the record

1. Text File No. K-1011-147 dated March 18, 2011, by Mitch Miles, Park Planner
2. Summary of Proposals for Eastwood and Walnut Ridge Parks Playground Replacement Projects
3. Quote No. 7986 dated February 10, 2011, in the amount of \$45,000 from Rex Playground Equipment
4. Artist's rendering of playground equipment for Walnut Ridge Park
5. Contract No. K-1011-147
6. Performance Bond No. B-1011-82
7. Statutory Bond No. B-1011-83
8. Maintenance Bond No. MB-1011-87
9. Resolution No. R-1011-97
10. Purchase Requisition No. 0000184146 dated March 21, 2011, in the amount of \$45,0007 to Rex Playground Equipment, Inc.

Participants in discussion

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

and the question being upon accepting Option 2 of Request for Proposal No. RFP-1011-55 from Rex Playground Equipment in the amount of \$45,000 and upon the subsequent approval, directive, authorization, and adoption, 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 Option 2 of Request for Proposal No. RFP-1011-55 from Rex Playground Equipment in the amount of \$45,000 accepted; Contract No. K-1011-147 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1011-97 was adopted.

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Item 12, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF A 911 RECORDER SYSTEM UPGRADE IN THE AMOUNT OF \$78,200 FROM TRAVIS VOICE AND DATA FOR THE POLICE DEPARTMENT.

Councilmember Kovach moved that authorization for the purchase of a 911 recorder system upgrade in the amount of \$78,200 from Travis Voice and Data for the Police Department be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-21 dated March 28, 2011, by Major J.D. Younger, Staff Services
2. Quote ID No. 39AAD938ACBB dated March 14, 2011, in the amount of \$78,200 from Travis Voice and Data
3. Purchase Requisition No. 0000184766 dated April 5, 2011, in the amount of \$78,200 from Travis Voice and Data

and the question being upon approving authorization for the purchase of a 911 recorder system upgrade in the amount of \$78,200 from Travis Voice and Data for the 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 authorization for the purchase of a 911 recorder system upgrade in the amount of \$78,200 from Travis Voice and Data for the Police Department was approved.

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Item 13, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF A BREATHING AIR COMPRESSOR IN THE AMOUNT OF \$41,500 FROM TESCOP TO BE USED AT FIRE STATION NO. EIGHT.

Councilmember Kovach moved that authorization for the purchase of a breathing air compressor in the amount of \$41,500 from Tescorp to be used at Fire Station No. Eight be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-22 dated March 28, 2011, by James Fullingim, Fire Chief
2. Tabulation of Quotes for a breathing air compressor for installation in Fire Station No. Eight
3. Quote dated March 11, 2011, in the amount of \$41,500 from Charlie Zurmehly, Sales Engineer, Tescorp, to Eric Spor, Norman Fire Department
4. Purchase Requisition No. 0000184746 dated April 4, 2011, in the amount of \$41,500 from Tescorp

and the question being upon approving authorization for the purchase of a breathing air compressor in the amount of \$41,500 from Tescorp to be used at Fire Station No. Eight, 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 a breathing air compressor in the amount of \$41,500 from Tescorp to be used at Fire Station No. Eight was approved.

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Item 14, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,000 FROM WAL-MART FOUNDATION TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE A POWER POINT PROJECTOR TO BE USED FOR SCHOOL AND COMMUNITY EVENTS.

Councilmember Kovach moved that a donation in the amount of \$1,000 from Wal-Mart Foundation to be used by the Police Department to be used to purchase a power point projector to be used for school and community events be accepted, Organizational Donations (010-0000-365.13-73) be increased by \$1,000, and \$1,000 be appropriated to Minor Equipment & Tools/Minor Office (010-6022-421.36-05), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-23 dated March 28, 2011, by Sergeant Jennifer Newell, Community Relations

and the question being upon accepting a donation in the amount of \$1,000 from Wal-Mart Foundation to be used by the Police Department to be used to purchase a power point projector to be used for school and community events and upon the subsequent increase 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 donation in the amount of \$1,000 from Wal-Mart Foundation to be used by the Police Department to be used to purchase a power point projector to be used for school and community events accepted; Organizational Donations (010-0000-365.13-73) was increased by \$1,000, and \$1,000 was appropriated to Minor Equipment & Tools/Minor Office (010-6022-421.36-05).

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Item 15, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$3,085.50 FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE BULLETPROOF VESTS.

Councilmember Kovach moved that a grant in the amount of \$3,085.50 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests be accepted; Project No. GP0001, Bulletproof Vest Grant, Other Revenue (022-0000-331.13-23) be increased by \$3,085.50; and \$3,085.50 be appropriated to Uniform & Clothing/Safety and Protective (022-6032-421.35-02), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-24 dated March 31, 2011, by Jim Spearman, Grants Coordinator
2. Approved Request for Payment

and the question being upon accepting a grant in the amount of \$3,085.50 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests and upon the subsequent increase 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 in the amount of \$3,085.50 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests accepted; Project No. GP0001, Bulletproof Vest Grant, Other Revenue (022-0000-331.13-23) was increased by \$3,085.50 and \$3,085.50 was appropriated to Uniform & Clothing/Safety and Protective (022-6032-421.35-02).

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Item 16, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT FROM THE OKLAHOMA OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$1,350 TO BE USED BY THE FIRE DEPARTMENT TO PURCHASE PROMOTIONAL ITEMS AND EQUIPMENT FOR PUBLIC OUTREACH

Councilmember Kovach moved that a grant in the amount of \$1,350 from the Oklahoma Office of Homeland Security to be used by the Fire Department to purchase promotional items and equipment for public outreach be accepted; Emergency Management Grant (022-0000-331.13-60) be increased by \$1,350; and \$1,350 be appropriated to Project GF0066, Emergency Management/CC Corps Grant, Other Supplies/Materials-Miscellaneous (022-9508-422.31-99), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-25 dated March 28, 2011, by James Fullingim, Fire Chief
2. Schedule "A", Award Memorandum dated March 21, 2011, from Kim Edd Carter, Director, State of Oklahoma Office of Homeland Security, to Steve Lewis, City Manager, City of Norman
3. Schedule "B", Sub-Grantee Award No. 130-011 dated September 3, 2008 in the amount of \$1,350 from the Oklahoma Office of Homeland Security
4. Schedule "C", 2008 Grant Master, Summary of Approved Items, Updated March 18, 2011

Item 16, continued:

and the question being upon accepting a grant in the amount of \$1,350 from the Oklahoma Office of Homeland Security to be used by the Fire Department to purchase promotional items and equipment for public outreach and upon the subsequent increase 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 in the amount of \$1,350 from the Oklahoma Office of Homeland Security to be used by the Fire Department to purchase promotional items and equipment for public outreach accepted; Emergency Management Grant (022-0000-331.13-60) was increased by \$1,350 and \$1,350 was appropriated to Project GF0066, Emergency Management/CC Corps Grant, Other Supplies/Materials-Miscellaneous (022-9508-422.31-99).

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Item 17, being:

CONSIDERATION OF THE ACCEPTANCE OF A CITIZEN'S CORPS GRANT IN THE AMOUNT OF \$5,000 FROM THE OFFICE OF HOMELAND SECURITY TO BE USED FOR PUBLIC OUTREACH AND EDUCATION EFFORTS DURING THE MEDIEVAL FAIR HELD APRIL 1 THROUGH 3, 2011.

Councilmember Kovach moved that a Citizen's CORPS grant in the amount of \$5,000 from the Office of Homeland Security to be used by the Fire Department for public outreach and education efforts during the Medieval Fair held April 1 through 3, 2011, be accepted; the Special Revenue Fund (022-0000-331.13-60) be increased by \$5,000; and \$5,000 be appropriated to Project No. GF0065, MR Corps - NACCHO Grant, Other Supplies and Materials - Miscellaneous (022-9508-422.31-99), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. GID-1011-26 dated March 9, 2011, by James Fullingim, Fire Chief
2. Medical Reserve Corps (MRC) Capacity Building Award Application 2010 submitted September 13, 2010
3. Letter dated January 4, 2011, from Debra Kay Robinson, Project Director, Medical Reserve Corps, Public Health Preparedness, National Association of County and City Health Officials (NACCHO), to Unit 333, Oklahoma Region 6, Cleveland County MRC

and the question being upon accepting a Citizen's CORPS grant in the amount of \$5,000 from the Office of Homeland Security to be used by the Fire Department for public outreach and education efforts during the Medieval Fair held April 1 through 3, 2011, and upon the subsequent increase 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 Citizen's CORPS grant in the amount of \$5,000 from the Office of Homeland Security to be used by the Fire Department for public outreach and education efforts during the Medieval Fair held April 1 through 3, 2011, accepted; the Special Revenue Fund (022-0000-331.13-60) was increased by \$5,000 and \$5,000 was appropriated to Project No. GF0065, MR Corps - NACCHO Grant, Other Supplies and Materials - Miscellaneous (022-9508-422.31-99).

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Item 18, being:

LIMITED LICENSE NO. LL-1011-12: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER, FRED JONES, JR., MUSEUM OF ART, AND JACOBSON HOUSE FOR LUNCHEON ON THE GRASS TO BE HELD AT LIONS PARK ON MAY 22, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-12 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House 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-1011-12 dated March 24, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for four signs dated March 23, 2011, from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House
3. Limited License No. LL-1011-12

and the question being upon approving Limited License No. LL-1011-12 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House 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 Limited License No. LL-1011-12 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum of Art, and Jacobson House approved; and the issuance thereof was authorized.

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Item 19, being:

LIMITED LICENSE NO. LL-1011-13: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE NORMAN ROUNDUP CLUB FOR THE 89ER DAY RODEO TO BE HELD APRIL 29 AND 30, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-13 to place four (4) signs within the public rights-of-way pursuant to a request from the Norman Roundup Club 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-1011-13 dated March 25, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for four signs dated March 15, 2011, from Sharon Jones, Norman Roundup Club
3. Limited License No. LL-1011-13
4. Photograph of sign

and the question being upon approving Limited License No. LL-1011-13 to place four (4) signs within the public rights-of-way pursuant to a request from the Norman Roundup Club 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 Limited License No. LL-1011-13 to place four (4) signs within the public rights-of-way pursuant to a request from the Norman Roundup Club approved; and the issuance thereof was authorized.

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Item 20, being:

LIMITED LICENSE NO. LL-1011-14: LIMITED LICENSE TO PLACE FIVE (5) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM ARVEST BANK ON BEHALF OF ST. JUDE CHILDREN'S RESEARCH HOSPITAL FOR THE ST. JUDE DREAM HOME GIVEAWAY TO BE HELD JUNE 26, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-14 to place five (5) signs within the public rights-of-way pursuant to a request from Arvest Bank on behalf of St. Jude Children's Research Hospital 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-1011-14 dated March 30, 2011, by Wayne Stenis, Planner II
2. Application for Limited License for five (5) signs dated March 29, 2011, from Arvest Bank
3. Limited License No. LL-1011-14

and the question being upon approving Limited License No. LL-1011-14 to place five (5) signs within the public rights-of-way pursuant to a request from Arvest Bank on behalf of St. Jude Children's Research Hospital 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 Limited License No. LL-1011-14 to place five (5) signs within the public rights-of-way pursuant to a request from Arvest Bank on behalf of St. Jude Children's Research Hospital approved; and the issuance thereof was authorized.

* * * * *

Item 21, being:

AMENDMENT NO. THREE TO CONTRACT NO. K-0708-114: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY EXTENDING THE TERM OF THE CONTRACT UNTIL APRIL 22, 2012, FOR THE LEASE OF PROPERTY LOCATED AT THE WEST ENTRANCE OF THE CLEVELAND COUNTY FAIRGROUNDS ON PORTER AVENUE NORTH OF ROBINSON STREET TO BE USED AS A DROP OFF RECYCLING CENTER.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Amendment No. Three to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2012, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Text File No. K-0708-114, Amendment No. Three, dated March 29, 2011, by Scottie Williams, Sanitation Superintendent
2. Amendment No. Three to Contract No. K-0708-114

and the question being upon approving Amendment No. Three to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2012, and upon the subsequent authorization, 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 Amendment No. Three to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2012, approved; and the execution thereof was authorized.

* * * * *

Item 22, being:

CONTRACT NO. K-1011-82: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND SPRINT SPECTRUM, L.P., FOR THE RELOCATION OF TELECOMMUNICATIONS EQUIPMENT FROM THE LINDSEY STREET WATER TOWER TO THE MONOPOLE AT 668 EAST LINDSEY STREET AND TERMINATION OF CONTRACT NO. K-0607-141

Councilmember Kovach moved that Contract No. K-1011-82 with Sprint Spectrum, L.P., be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-82 dated March 30, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-82 with Exhibit A, Legal Description of Owner's Property; Exhibit B, Site Plan and Elevation View; Exhibit C, Memorandum of Agreement with Exhibit A, legal description
3. Contract No. K-0607-141 with Exhibit "A", Site Description

and the question being upon approving Contract No. K-1011-82 with Sprint Spectrum, L.P., and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No K-1011-82 with Sprint Spectrum, L.P., approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-1011-157: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CINGULAR WIRELESS, PCS, L.L.C., FOR THE CONSTRUCTION OF AN UNDERGROUND GROUNDING FACILITY AND THE LEASE OF A MONOPOLE EAST OF THE WATER TREATMENT FACILITY LOCATED AT 3000 EAST ROBINSON STREET.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1011-157 with New Cingular Wireless, PCS, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Text File No. K-1011-157 dated March 7, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-157 with Exhibit A, legal descriptions; Exhibit B, site plans and description of equipment on tower; Exhibit C, Memorandum of Agreement; Exhibit D, Temporary Relocation Right and Subordination, Non-Disturbance and Attornment Agreement; Exhibit E, Subordination, Non-Disturbance and Attornment Agreement

and the question being upon approving Contract No. K-1011-157 with New Cingular Wireless, PCS, L.L.C., and upon the subsequent authorization, 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 Contract No. K-1011-157 with New Cingular Wireless, PCS, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-1011-158: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CINGULAR WIRELESS, PCS, L.L.C., FOR THE LEASE OF A MONOPOLE TOWER LOCATED AT THE STREET MAINTENANCE FACILITY AT 668 EAST LINDSEY STREET.

Councilmember Kovach moved that Contract No. K-1011-158 with New Cingular Wireless, PCS, L.L.C., 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-1011-158 dated March 7, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-158 with Exhibit A, legal descriptions; Exhibit B, site plans; Exhibit C, Memorandum of Agreement; Exhibit D, Temporary Relocation Right

and the question being upon approving Contract No. K-1011-158 with New Cingular Wireless, PCS, L.L.C., 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-1011-158 with New Cingular Wireless, PCS, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CONTRACT NO. K-1011-161: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND OKLAHOMA NATURAL GAS COMPANY IN THE AMOUNT OF \$50,129 TO EXTEND A GAS LINE FROM ROBINSON STREET TO THE NEW COMPRESSED NATURAL GAS (CNG) PUBLIC FUELING STATION AT 1301 DA VINCI STREET.

Councilmember Kovach moved that Contract No. K-1011-161 with Oklahoma Natural Gas Company in the amount of \$50,129 be approved and the execution thereof be authorized be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-161 dated March 29, 2011, by Mike White Fleet Superintendent
2. Contract No. K-1011-161 with Exhibit A, location map
3. Purchase Requisition No. 0000184771 dated April 5, 2011, in the amount of \$50,129 to Oklahoma Natural Gas Company

and the question being upon approving Contract No. K-1011-161 with Oklahoma Natural Gas Company in the amount of \$50,129 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-1011-161 with Oklahoma Natural Gas Company in the amount of \$50,129 approved; and the execution thereof was authorized.

* * * * *

Item 26, being:

CONTRACT NO. K-1011-167: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BANK OF OKLAHOMA, N.A., TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 1318 KEYSTONE LANE.

Councilmember Kovach moved that Contract No. K-1011-167 with Bank of Oklahoma, N.A., be approved and the execution thereof be authorized be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. K-1011-167 dated March 31, 2011, by Lisa Krieg, Grants Planner
2. Contract No. K-1011-167

and the question being upon approving Contract No. K-1011-167 with Bank of Oklahoma, N.A., 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-1011-167 with Bank of Oklahoma, N.A., approved; and the execution thereof was authorized.

* * * * *

Item 27, being:

RATIFICATION OF RESOLUTION NO. R-1011-104: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AN APPLICATION TO SEEK FINANCIAL ASSISTANCE THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANTS FUND FOR THE CONVERSION OF SEVERAL VEHICLES TO ALTERNATIVE FUELS.

Councilmember Kovach moved that ratification of Resolution No. R-1011-104 be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. R-1011-104 dated March 29, 2011, by Mike White Fleet Superintendent with attached cost and savings table
2. Resolution No. R-1011-104
3. Grant application dated April 8, 2011, for CNG Vehicle Replacement/Electric Vehicle Replacement
4. Quotation No. RM0230a dated March 11, 2011, from Sooner Lift, Inc., in the amount of \$9,500
5. Quote dated March 11, 2011, from J & R Equipment, L.L.C., in the amount of \$267,470

and the question being upon approving ratification of Resolution No. R-1011-104, 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 ratification of Resolution No. R-1011-104 approved.

* * * * *

Item 28, being:

RESOLUTION NO. R-1011-109: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACCEPTING RESTITUTION FOR ARSON CASES TO BE USED FOR FUTURE FIRE PREVENTION PROJECTS AND INCREASING THE FIRE INVESTIGATION LIABILITY ACCOUNT BY \$2,734.

Councilmember Kovach moved that Resolution No. R-1011-109 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. R-1011-109 dated March 28, 2011, by James Fullingim, Fire Chief
2. Resolution No. R-1011-109

and the question being upon adopting Resolution No. R-1011-109, 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-1011-109 was adopted.

* * * * *

Item 29, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$52,173.26 REGARDING RICHARD HARTLESS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2009-11497H.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$52,173.26 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. 2009-11497H dated March 21, 2011, by Blaine Nice, Assistant City Attorney with Attachment No. 2, payment to claimant and attorney
2. Workers' Compensation Court Order No. WCC 2009-11497H filed March 8, 2010, Order Determining Compensability and Awarding Permanent Partial Disability Benefits
3. Workers' Compensation Court Order No. WCC 2009-11497H filed March 15, 2010, Order Nunc Pro Tunc
4. Workers' Compensation Court Order No. WCC 2009-11497H filed August 10, 2010, Order on Appeal Affirming the Decision of the Trial Court
5. Court of Civil Appeals of the State of Oklahoma, Division 1, Case No. 108,473, City of Norman, a Municipal Corporation, Own Risk vs. Richard Hartless and the Workers' Compensation Court, filed December 3, 2010, proceeding to Review an Order of a Three-Judge Panel of the Workers' Compensation Court
6. Court of Civil Appeals of the State of Oklahoma, Division 1, Case No. 108,473, City of Norman, a Municipal Corporation, Own Risk vs. Richard Hartless and the Workers' Compensation Court, filed January 7, 2011, Order
7. Workers' Compensation Court Order No. WCC 2009-11497H filed March 17, 2011, Order on Mandate
8. Purchase Requisition No. 0000184140 dated March 21, 2011, in the amount of \$50,663.56 to Richard Hartless and Richard Bell
9. Purchase Requisition No. 0000184142 dated March 21, 2011, in the amount of \$957.60 to Workers' Compensation Administrative Tax Fund
10. Purchase Requisition No. 0000184143 dated March 21, 2011, in the amount of \$359.10 to Special Occupational Health and Safety Fund
11. Purchase Requisition No. 0000184144 dated March 21, 2011, in the amount of \$140 to Workers' Compensation Court
12. Purchase Requisition No. 0000184145 dated March 21, 2011, in the amount of \$118 to Cleveland County Court Clerk

Item 29, 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 in the amount of \$52,173.26 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 30, being:

RESOLUTION NO. R-1011-82: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-5**, SO AS TO PLACE LOTS 1-10, BLOCK 3; LOTS 1-9, BLOCK 4; LOTS 1-10, BLOCK 5; AND LOT 1, BLOCK 6, PRESIDENTIAL NO. 4 ADDITION AND ALL OF LOTS 1-13, BLOCK 1, AND LOTS 1-6, BLOCK 2, PRESIDENTIAL NO. 3 ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH-DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE COMMERCIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (1801 JEFFERSON COURT AND 2681 JEFFERSON DRIVE)

Councilmember Kovach having moved on March 22, 2011, that Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, be postponed until April 12, 2011, which motion having been duly seconded by Councilmember Ezzell, Councilmember Kovach moved that Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, be postponed until May 24, 2011, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1011-82 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Email requesting postponement dated March 11, 2011, from Sean Rieger to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry
3. Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5
4. Location map
5. Staff Report dated February 10, 2011, recommending approval
6. City of Norman Predevelopment Case No. PD 10-28 dated December 16, 2010, submitted by 2681 Jefferson Street Holdings, L.L.C., for property south of intersection of I-35 and Highway 9 East
7. Greenbelt Enhancement Statement Comments dated January 24, 2011
8. Pertinent excerpts from City Council minutes of February 10, 2011
9. Email dated March 11, 2011, from Sean Rieger, the Rieger Law Group, to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry, requesting postponement until April 12, 2011
10. Email dated April 11, 2011, from Sean Rieger, the Rieger Law Group, to City Council, Steve Lewis, Brenda Hall, Ellen Usry, and Susan Connors, requesting postponement until May 24, 2011

and the question being upon postponing Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, until May 24, 2011, 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-1011-82, Land Use Plan Amendment No. LUP-1011-5, was postponed until May 24, 2011.

* * * * *

Item 31, being:

ORDINANCE NO. O-1011-41: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE LOTS 1-10, BLOCK 3; LOTS 1-9, BLOCK 4; LOTS 1-10, BLOCK 5; AND LOT 1, BLOCK 6, PRESIDENTIAL NO. 4 ADDITION, AND ALL OF LOTS 1-13, BLOCK 1, AND LOTS 1-6, BLOCK 2, PRESIDENTIAL NO. 3 ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND REMOVE THE SAME FROM THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1801 JEFFERSON COURT AND 2681 JEFFERSON DRIVE)

Ordinance No. O-1011-41 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 8, 2011 and in City Council's meeting of March 22, 2011, Councilmember Atkins having moved that Ordinance No. O-1011-41 be postponed until April 12, 2011, which motion having been duly seconded by Councilmember Kovach, Councilmember Kovach moved that Ordinance No. O-1011-41 be postponed until May 24, 2011, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1011-41 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Email requesting postponement dated March 11, 2011, from Sean Rieger to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry
3. Ordinance No. O-1011-41
4. Location map
5. Staff Report dated February 10, 2011, recommending approval
6. Pertinent excerpts from Planning Commission minutes of February 10, 2011
7. Email dated March 11, 2011, from Sean Rieger, the Rieger Law Group, to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry, requesting postponement until April 12, 2011
8. Email dated April 11, 2011, from Sean Rieger, the Rieger Law Group, to City Council, Steve Lewis, Brenda Hall, Ellen Usry, and Susan Connors, requesting postponement until May 24, 2011

and the question being upon postponing Ordinance No. O-1011-41 until May 24, 2011, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1011-41 was postponed until May 24, 2011.

* * * * *

Item 32, being:

ORDINANCE NO. O-1011-18: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE VIII, SECTIONS 13-809 THROUGH 13-814; AND ARTICLE XXVIII, SECTION 13-2804, 13-2806 AND 13-2809 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING PROVISIONS AND AMENDING THE APPLICATION AND PERMIT ISSUANCE PROCEDURES AND FEES FOR TEMPORARY FOOD ESTABLISHMENTS AND SOLICITORS AND PEDDLERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-18 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 22, 2011, Councilmember Atkins moved that Ordinance No. O-1011-18 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Kovach;

Item 32, continued:

Items submitted for the record

1. Text File No. O-1011-18 dated March 7, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1011-18
3. Legislatively notated copy of Ordinance No. O-1011-18
4. City Council Oversight Committee minutes of May 12 and August 4, 2010
5. Pertinent excerpts from City Council Oversight Committee minutes of October 13, November 3, and December 1, 2010, and January 5, 2011
6. Pertinent excerpts from City Council Conference minutes of February 22, 2011

Participants in discussion

1. Ms. Brenda Hall, City Clerk
2. Mr. Tim McDermott, 606 Iowa, asked questions
3. Mr. Adrian Buendia, 4321 Warrington Way, proponent

and the question being upon adopting Ordinance No. O-1011-18 upon Second Reading section by section, 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-1011-18 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-18 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-1011-18 upon Final Reading as a whole, the roll was called 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-1011-18 was adopted upon Final Reading as a whole.

* * * * *

Item 33, being:

ORDINANCE NO. O-1011-44: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 431.6 (COMMERCIAL OUTDOOR LIGHTING STANDARDS) AND AMENDING SECTION 431.7 (DEVELOPMENT AND MAINTENANCE OF OFF STREET PARKING FACILITIES), AND SECTION 450 (DEFINITIONS) OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO CREATE COMMERCIAL OUTDOOR LIGHTING STANDARDS AND ADDING RELATED DEFINITIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-44 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 22, 2011, Councilmember Kovach moved that Ordinance No. O-1011-44 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Butler;

Item 33, continued:

Items submitted for the record

1. Text File No. O-1011-44 dated January 19, 2011, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1011-44
3. Legislatively notated copy of Ordinance No. O-1011-44
4. Staff Report dated February 10, 2011, from Doug Koscinski, AICP, Manager, Current Planning Manager, to Chairman and Members, Norman Planning Commission
5. Pertinent excerpts from Planning Commission minutes of February 10, 2011
6. Pertinent excerpts from City Council Conference minutes of September 28, 2010
7. Pertinent excerpts from City Council Planning and Community Development Committee minutes of November 12, 2010
8. Power Point presentation prepared by Sean Paul Rieger, Attorney-Architect, for Builders Association of South Central Oklahoma (BASCO)
9. Power Point presentation entitled "Amendments Needed to Lighting Ordinance" prepared by Norman North Astronomy Classes and Club presented to City Council April 12, 2011
10. Email opposing amendment regarding retrofit dated April 12, 2011, to Cindy Rosenthal from Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau
11. Statement of support from Tom Knotts
12. Petition containing 261 signatures submitted by students from Norman North High School supporting ordinance with amendments of full cut off fixtures only, retrofit, and to include residential areas, churches, public recreation facilities, and schools

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Doug Koscinski, Current Planning Manager
3. Mr. Steve Ruse, Allen Consulting Group, 115 West Main Street, consultant for the City
4. Ms. Eileen Grzbowski, Norman North High School Astronomy Program teacher, proponent of ordinance with retrofit amendment
5. Mr. Michael Eades, 229 Telstar Street, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
6. Ms. Hallie Smith, 219 Crestmont Avenue, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
7. Ms. Annie Shen, 3812 Baker Street, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
8. Ms. Angela Shen, 3812 Baker Street, Astronomy Student at Norman North High School, proponent of ordinance with retrofit and full cutoff amendments
9. Mr. Sean Rieger, 136 Thompson Drive, Attorney - Architect, for BASCO, proponent of ordinance without retrofit and full cutoff amendments
10. Mr. Jim Adair, 111 North Peters, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
11. Mr. Allen Allard, 1800 Imhoff Road, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
12. Ms. Mary Francis, 850C Cardinal Creek Boulevard, proponent
13. Mr. John Woods, Executive Director of the Chamber of Commerce, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
14. Mr. Chris Applegate, 728 Hummingfish Drive, proponent of retrofit amendment
15. Mr. Larry Steele, 730 Hoover Street, proponent of amendment to allow sidewalk spillover and protestant of 200 foot rule
16. Mr. Mike Fowler, 4701 Cloudcroft Court, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
17. Mr. Harold Haralson, 816 Avon Drive, proponent of ordinance with 200 foot rule amendment and protestant of retrofit amendment
18. Mr. Jeff Bryant, City Attorney
19. Mr. Roger Gallagher, 1522 East Boyd Street, protestant of retrofit amendment
20. Mr. Marc Jensen, 1525 High Trail Road, proponent
21. Mr. Doug Kennon, 1200 24th Avenue S.W., protestant of ordinance and proponent of Councilmember Ezzell's amendments
22. Mr. Mike Douglas, 1501 Goldfinch Court, proponent

Item 33, continued:

Participants in discussion, continued

- 23. Mr. Trey Bates, 3710 Timberidge, proponent of Councilmember Ezzell's amendments and protestant of retrofit amendment
- 24. Mr. Jim Long, 447 College Avenue, proponent
- 25. Mr. James Chappel, Oklahoma Gas and Electric Company, 301 West Comanche Street, made comments
- 26. Ms. Wanda Frost, Norman Builder's Association, 210 36th Avenue S.W., protestant of ordinance and proponent of 200 foot rule amendment
- 27. Mr. Harold Heiple, 218 East Eufaula, protestant of ordinance and proponent of Councilmember Ezzell's amendments
- 28. Mr. Tom Knotts, 7301 East Highway 9, proponent

Thereupon, Councilmember Ezzell moved that Ordinance No. O-1011-44 be amended to read as follows:

* * *

SEC. 431.6 -- COMMERCIAL OUTDOOR LIGHTING STANDARDS

3. Applicability.

- (a) New Building Construction. For all new public or private commercial, industrial, institutional, and multi-family land uses, developments, buildings, and structures that require a permit subsequent to the effective date of this Section (*30 days after Council adoption*), all new outdoor lighting fixtures shall meet the requirements of this Section of the Code.
- (b) These lighting regulations do not apply to properties zoned or used for single-family or two-family dwellings. These lighting regulations do not apply to any luminaries, lighting systems, or properties that are located more than two hundred (200) feet away from the boundary of a residentially zoned property adjacent to property which is zoned or used as single or two-family residential.

which motion was duly seconded by Councilmember Quinn;

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-44 be postponed until June 14, 2011, which motion was duly seconded by Councilmember Atkins; and the question being upon postponing Ordinance No. O-1011-44 until June 14, 2011, 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-1011-44 was postponed until June 14, 2011.

* * * * *

Item 34, being:

REGARDING A SPECIAL ELECTION TO DETERMINE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORMAN AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 2067 FOR THE TIME PERIOD OF JULY 1, 2010, TO JUNE 30, 2011, AS PROVIDED BY TITLE 11, OKLAHOMA STATUTES, SECTION 51-110, CONSIDERATION OF A MOTION TO MOVE FORWARD WITH NOTIFICATION TO THE CLEVELAND COUNTY ELECTION BOARD AFTER RECEIPT OF THE CLEVELAND COUNTY DISTRICT COURT'S RULING REGARDING BALLOT LANGUAGE IN CLEVELAND COUNTY DISTRICT COURT CASE NO. CV-2011-48-L; OR IN THE ALTERNATIVE, TO APPEAL THE DECISION OF THE CLEVELAND COUNTY DISTRICT COURT REGARDING DETERMINATION OF THE BALLOT LANGUAGE IN CLEVELAND COUNTY DISTRICT COURT CASE NO. CV-2011-48-L.

Councilmember Cubberley moved the decision of the Cleveland County District Court regarding determination of the ballot language in Case No. CV-2011-48-L be appealed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1011-69, Amendment No. Two, dated March 31, 2011, by Jeff Bryant, City Attorney

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. Jim Stanley, 3922 Pine Tree Circle, protestant

and the question being upon appealing the decision of the Cleveland County District Court regarding determination of the ballot language in Case No. CV-2011-48-L, a vote was taken with the following result:

YEAS:

Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal

NAYES:

Councilmember Kovach

The Mayor declared the motion carried and the decision of the Cleveland County District Court regarding determination of the ballot language in Case No. CV-2011-48-L will be appealed.

* * * * *

MISCELLANEOUS DISCUSSION

Salvage and Impoundment Yards. Mr. Bobby Stevens, 3801 108th Avenue S.E., said in City Council's meeting of March 22, 2011, he and Staff had discussed violations of the impoundment yard owned by Quality Towing Service. He said Staff had erroneously called this business a salvage yard and there is a big difference. He said Staff had made many incorrect statements. He said a salvage yard is where automobile parts are crushed and disassembled while impoundment yards store vehicles until the owner picks it up or it is sold at public auction. He said the impoundment yards need to be up to City code and said Code Enforcement missed these violations. He said City Staff should apologize to citizens and City Council for making statements that were wrong. He said none of the other impoundment yards in Norman have a car crusher on the premises but Quality does although it is not a salvage yard. He said he would not be persecuted and that citizens have a right to know.

Ms. Susan Connors, Director of Planning and Community Development, said she had written a memorandum to the City Council identifying the fact that at the March 22, 2011, City Council meeting, she had been misinformed by her Staff and she apologized for that. She said there had been some confusion about salvage and impoundment yards and she was clear on the issue now. She said Quality Towing is an impoundment yard and her Staff is continuing to work with them to bring them into compliance. She said Quality, along with one other impoundment yard and two salvage yards are working on a May 1st deadline to come into compliance with issues found on the sites. Quality Towing is doing some major work on their site due to some drainage issues and have removed a fence on the west side because of the property to address those drainage issues. She said they will continue to work on these issues and fully intend to meet the May 1st deadline.

Councilmember Butler thanked Mr. Stevens for his persistence in this matter because Staff is changing some of their operating procedures and looking into making changes to the ordinances.

Miscellaneous Discussion, continued:

Robinson Construction Issues. Mr. Gary Griffitts, 316 West Himes Street, said his home is located in the Flood/Robinson area and asked if there could be anything done to help with traffic issues from the Robinson underpass construction. He said traffic was speeding through the neighborhood streets when Flood Avenue was closed and thefts have occurred frequently. He said this had always been a quiet neighborhood before the construction began. He said now that Flood Avenue was open, it took 10 to 15 minutes for one lane of traffic to get through the light. He said he had tried to contact John Clink, project manager for the project, to get some type of signage to stop traffic from going into the neighborhood but nothing was done. He asked if the stop light could be timed to allow more traffic to flow through.

Mayor Rosenthal asked Mr. Griffitts to meet with Shawn O'Leary, Director of Public Works, after the meeting.

Ms. Ann Gallagher, 1522 East Boyd Street, said she agreed with Mr. Griffitts and that it takes over 30 minutes to get 3.9 miles because of the construction and the stoplights.

Councilmember Dillingham thanked Mr. Griffitts for attending this evening and said she had spoken with constituents in the Flood/Robinson area and was planning on speaking with Staff about this problem. She said she appreciated his willingness to be an advocate for his neighborhood and that staff would work on this traffic issue.

*

Sign Ordinance. Mr. Harold Heiple, 218 East Eufaula Street, thanked Council for postponing Ordinance No. O-1011-44 this evening. He said he would be glad to offer his services on behalf of the Norman Developers Council to solicit thoughts about light spillover and the glare problems because he was sure an ordinance could be drawn up to solve the problem.

*

Shop Norman. Councilmember Quinn said "Shop Norman."

*

Thanks to City Staff. Councilmember Butler said Council toured the Water Treatment Plant on March 29, 2011, and she commended Chris Mattingly, Utilities Superintendent at the Water Treatment Plant, and his staff for a job well done. She also thanked Sergeant Teresa Roberts who had worked with neighborhoods to take care of a dumping problems on 36th Avenue S.E. and Cedar Lane. She said Sergeant Roberts was a good example of Community Oriented Policing in action. She said Sergeant Roberts handled an issue where a large load of debris had been dumped on 36th Avenue S.E. and Cedar Lane.

*

Dumpsters for Rural Residents. Councilmember Butler announced that dumpsters will be placed at the Little Axe American Legion Building at 2020 156th Avenue N.E. and on Denver Corner located on the southeast corner of 108th Avenue N.E. and Alameda Street on Saturday, April 16th, and Sunday, April 17th. She said the Absentee Shawnee Tribe has become a new partner in this event along with Cleveland County, the City of Norman, Little Axe Chamber of Commerce, and Little Axe American Legion.

*

Blue Ribbon Month – Child Abuse Awareness Month. Councilmember Dillingham reminded citizens that April is Blue Ribbon Month and said to look for the blue ribbons on the trees signifying the need to reduce child abuse in the community and which announce April as Child Abuse Awareness Month. She said there are many agencies working with children such as Center for Children and Families, Bethesda Alternative, Mary Abbott House, as well as all of the therapists and teachers who take care of children who cannot speak for themselves and encouraged everyone to do what they could to make the difference in the life of the child.

*

Miscellaneous Discussion, continued:

Illegal Parking in Handicapped Parking Spaces. Councilmember Kovach said he wanted to address the "Letter to the Editor" that was in the newspaper this week with concerns about illegal parking in handicapped spaces. He voiced concerns about the policy and said he contacted the City Manager about what kind of enforcement there had been. He said he was told over 240 tickets had been issued over the last 12 months for illegal parking in handicap spaces. He said Council took this issue seriously and it was his understanding this policy is being enforced and assured the public that all Americans with Disabilities (ADA) issues were taken seriously.

*

Household Hazardous Waste Collection Event. Councilmember Kovach thanked Councilmembers Cubberley and Butler for volunteering for several years at the Household Hazardous Waste Collection Event and they were well qualified to work at this event.

Councilmember Butler said she worked in the paint tent with several high school students who were fabulous co-workers. She said she looks forward to seeing the statistics for disposal of items.

*

Mop Norman. Councilmember Kovach said "Mop Norman" and fix the Lake McGee problem.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 11:40 p.m.

ATTEST:

City Clerk

Mayor