

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

June 28, 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 28th day of June, 2011, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF MAY 17, 2011
CITY COUNCIL CONFERENCE MINUTES OF MAY 31, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 7, 2011
CITY COUNCIL MINUTES OF JUNE 14-JUNE 21, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF JUNE 14-JUNE 21, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF JUNE 14-JUNE 21, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JUNE 14-JUNE 21, 2011

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

Items submitted for the record

1. Text File No. GID-1011-44 dated June 13, 2011, by Brenda Hall, City Clerk
2. City Council Study Session minutes of May 17, 2011
3. City Council Conference minutes of May 31, 2011
4. City Council Special Session minutes of June 7, 2011
5. City Council minutes of June 14-June 21, 2011
6. Norman Utilities Authority minutes of June 14-June 21, 2011
7. Norman Municipal Authority minutes of June 14-June 21, 2011
8. Norman Tax Increment Finance Authority minutes of June 14-June 21, 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 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 23 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 5 through Item 23, 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 5 through Item 23 were placed on the consent docket by unanimous vote.

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Item 5, being:

CONSIDERATION OF ORDINANCE NO. O-1011-48 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 PART OF THE NORTHEAST QUARTER OF SECTION ELEVEN (11) OF TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE WEST SIDE OF U.S. HIGHWAY 77 AT FRANKLIN ROAD)

Councilmember Kovach moved that Ordinance No. O-1011-48 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-48 dated March 22, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-48
3. Location map
4. Revised preliminary plat
5. Staff Report dated May 12, 2011, recommending approval
6. Pertinent excerpts from Planning Commission minutes of May 12, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-48 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1011-48 was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1011-56 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A SANITARY SEWER EASEMENT LOCATED WITHIN LOT 8A, BLOCK 1, WHISPERING PINES ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1119 WHISPERING PINES DRIVE)

Councilmember Kovach moved that Ordinance No. O-1011-56 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-56 dated April 14, 2011, by Doug Koscinski
2. Ordinance No. O-1011-56
3. Location map
4. Petition to Vacate an Abandoned Sewer Easement dated April 11, 2011, submitted by William H. Mattoon, Oklahoma Bar Association No. 5794 with Exhibit "A", Warranty Deed filed March 24, 1997, granted to Glenna Zoldoske Young, by Judith A. Jimerson, Trustee of the Judith A. Jimerson 1991 Trust, dated December 23, 1991, s/k/a Judith A. Jimerson 1991 Trust Agreement dated December 31, 1991, and Exhibit "B", Proposed Lot Line Adjustment
5. Staff Report dated May 12, 2011, recommending approval
6. Pertinent excerpts from Planning Commission minutes of May 12, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-56 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-56 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF NO. 2

TERM: 04-10-11 TO 04-10-14: ROBERT CASTLEBERRY, 4701 WINDRUSH CIRCLE
 TERM: 04-10-11 TO 04-10-14: MICHAEL GIVEL, 2800 BARRY SWITZER AVENUE
 TERM: 04-10-11 TO 04-10-14: FRED WALDEN, POST OFFICE BOX 644

HUMAN RIGHTS COMMISSION

TERM: 06-28-11 TO 07-13-12: CHERYL WATTLEY, 2007 TRAILPINE COURT
 TERM: 06-28-11 TO 07-13-13: TAMARA PULLIN, 415 COLLEGE AVENUE
 TERM: 07-13-11 TO 07-13-14: KAY HAM, 504 CLEARVIEW DRIVE
 TERM: 07-13-11 TO 07-13-14: TERESA TURNER, 408 PINEY OAK DRIVE
 TERM: 06-28-11 TO 07-13-14: MARJANEH SEIRAFI-POUR, 4509 CANONBURY CIRCLE

REAPPORTIONMENT COMMISSION - WARD FIVE

TERM: 06-28-11 TO 07-01-15: THEODORE METSCHER, 8900 ALAMEDA DRIVE

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

Items submitted for the record

1. Text File No. AP-1011-23 dated June 16, 2011

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

Item 7, continued:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, 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 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MAY 31, 2011, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1011-47 dated June 10, 2011, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report of May 31, 2011

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MAY, 2011, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1011-48 dated June 10, 2011, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of May, 2011

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, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 10, being:

CONSIDERATION AND AWARDED OF BID NO. 1011-82 FOR THE PURCHASE OF LIQUID ALUMINUM SULFATE FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid for liquid aluminum sulfate in the amount of \$290 per dry ton be awarded to Southwest Chemical Services of McAlester, Oklahoma, the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

- 1. Text File No. BID-1011-82 dated June 7, 2011, by Bryan Hapke, Utilities Supervisor
- 2. Tabulation of bids dated June 9, 2011, for liquid aluminum sulfate

Participants in discussion

- 1. Mr. Ken Komiske, Director of Utilities

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

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid for liquid aluminum sulfate in the amount of \$290 per dry ton was awarded to Southwest Chemical Services of McAlester, Oklahoma, as the lowest and best bidder meeting specifications.

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Item 11, being:

CONSIDERATION AND AWARDED OF BID NO. 1011-83 FOR THE PURCHASE OF ANHYDROUS AMMONIA FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid for anhydrous ammonia in the amount of \$1,630 per ton be awarded to Southwest Chemical Services of McAlester, Oklahoma, the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

- 1. Text File No. BID-1011-83 dated June 13, 2011, by Bryan Hapke, Utilities Supervisor
- 2. Tabulation of bids dated June 9, 2011, for anhydrous ammonia

Participants in discussion

- 1. Mr. Ken Komiske, Director of Utilities

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

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid for anhydrous ammonia in the amount of \$1,630 per ton was awarded to Southwest Chemical Services of McAlester, Oklahoma, as the lowest and best bidder meeting specifications.

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Item 12, being:

CONSIDERATION AND AWARDED OF BID NO. 1011-84 FOR THE PURCHASE OF CHLORINE FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid for chlorine in the amount of \$549 per ton be awarded to Altivia of Houston, Texas, the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

- 1. Text File No. BID-1011-84 dated June 13, 2011, by Bryan Hapke, Utilities Supervisor
- 2. Tabulation of bids dated June 9, 2011, for chlorine

Participants in discussion

- 1. Mr. Ken Komiske, Director of Utilities

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

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid for chlorine in the amount of \$549 per ton was awarded to Altivia of Houston, Texas, as the lowest and best bidder meeting specifications.

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Item 13, being:

CONSIDERATION AND AWARDED OF BID NO. 1011-85 FOR THE PURCHASE OF LIQUID FERRIC SULFATE FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted and the bid for liquid ferric sulfate in the amount of \$267.22 per dry ton for 12% solution and \$296.45 per dry ton for 10% solution be awarded to Kemira Water Solutions of Lawrence, Kansas, as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

- 1. Text File No. BID-1011-85 dated June 13, 2011, by Bryan Hapke, Utilities Supervisor
- 2. Tabulation of bids dated June 9, 2011, for liquid ferric sulfate

Participants in discussion

- 1. Mr. Ken Komiske, Director of Utilities

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

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid for liquid ferric sulfate in the amount of \$267.22 per dry ton for 12% solution and \$296.45 per dry ton for 10% solution was awarded to Kemira Water Solutions of Lawrence, Kansas, as the lowest and best bidder meeting specifications.

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Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-86 FOR THE PURCHASE OF AGGREGATE BASE COARSE STONE AND FILL SAND FOR THE LINE MAINTENANCE DIVISION.

Acting as the City of Norman and Norman Utilities Authority, Councilmember Kovach moved that all bids meeting specifications on Section 1 be accepted and the bid in the amount of \$11.75 per ton be awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. BID-1011-86 dated May 24, 2011, by David Hager, Utilities Superintendent
2. Tabulation of bids dated June 9, 2011, for aggregate base

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

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Section 1 accepted; and the bid in the amount of \$11.75 per ton was awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 2 be accepted and the bid in the amount of \$5.25 per ton be awarded to Sand Express, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. BID-1011-86 dated May 24, 2011, by David Hager, Utilities Superintendent
2. Tabulation of bids dated June 9, 2011, for fill sand

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

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Section 2 accepted; and the bid in the amount of \$5.25 per ton be awarded to Sand Express, Inc., as the lowest and best bidder meeting specifications.

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Item 15, being:

CONSIDERATION OF A FINAL PLAT FOR RED CANYON RANCH ADDITION, SECTION 2, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the final plat for Red Canyon Ranch Addition, Section 2, 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 documentation showing a warranty deed for private parkland is filed of record; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Griffith;

Item 15, continued:

Items submitted for the record

1. Text File No. FP-1011 13 dated October 15, 2010, by Ken Danner
2. Location map
3. Final plat
4. Staff report dated November 18, 2010, recommending approval
5. Preliminary plat
6. Pertinent excerpts from Board of Parks Commissioners minutes of March 2, 2006
7. Pertinent excerpts from Planning Commission minutes of November 18, 2010

and the question being upon approving the final plat for Red Canyon Ranch Addition, Section 2, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the final plat for Red Canyon Ranch Addition, Section 2, 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 the filing of the final plat was directed.

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Item 16, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0910-29 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND WYNN CONSTRUCTION COMPANY, INC., FOR THE WATER TREATMENT PLANT UPGRADE PROJECT, PHASE I.

Acting as the Norman Utilities Authority, Trustee Kovach moved that the project be accepted and final payment in the amount of \$25,000 to Wynn Construction Company, Inc., be directed, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-0910-29, Final, dated June 14, 2011, by Chris Mattingly
2. Engineer's Certification of Project (Contract) Completion dated February February 28, 2011

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

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and the project accepted; and final payment in the amount of \$25,000 to Wynn Construction Company, Inc., was directed.

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Item 17, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1011-147 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND REX PLAYGROUND EQUIPMENT FOR THE WALNUT RIDGE PLAYGROUND REPLACEMENT PROJECT.

Councilmember Kovach moved that the project be accepted and final payment in the amount of \$2,250 to Rex Playground Equipment be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1011-147, Final, dated June 14, 2011, by Mitch Miles, Park Planner

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

YEAS:	Councilmember 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 project accepted; and final payment in the amount of \$2,250 to Rex Playground Equipment was directed.

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Item 18, being:

CONTRACT NO. K-1011-184: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND CORVEL HEALTHCARE CORPORATION TO PROVIDE CERTAIN HEALTH CARE SERVICES FOR WORKERS INJURED ON THE JOB.

Councilmember Kovach moved that Contract No. K-1011-184 with CorVel Healthcare Corporation be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1011-184 dated June 9, 2011, by Clint Mercer, Chief Accountant
- 2. Contract No. K-1011-184 with Exhibit A, Managed Care Services Selected by Customer; Schedule 2, Case Management Services, Terms and Conditions; Schedule 3, Bill Audit, Review and Payment Services, Terms and Conditions; Schedule 3-C, Enhanced Bill Review Services (Professional Review Services; Hospital Bill Line Item Bill Review Services; Negotiation Services), Terms and Conditions; Schedule 5, Directed Care Services, Terms and Conditions; Exhibit B, Fees; Exhibit C, CareMC License Agreement; Exhibit D, CorVel Certificate of Insurance (provided separately – to be attached)

and the question being upon approving Contract No. K-1011-184 with CorVel Healthcare Corporation and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, 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-1011-184 with CorVel Healthcare Corporation approved and the execution thereof was authorized.

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Item 19, being:

CONTRACT NO. K-1011-186: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND FIRST BANK AND TRUST COMPANY IN THE AMOUNT OF \$185,000 FOR THE PURCHASE OF PROPERTIES IN THE GREENBELT FLOOD PLAIN LOCATED AT 809 EAST COMANCHE, 815 EAST COMANCHE, 121 SOUTH COCKRELL, 123 SOUTH COCKRELL AND 114-116 SOUTH CARTER, ALL WITHIN THE CITY LIMITS OF CITY OF NORMAN.

Councilmember Kovach moved that Contract No. K-1011-186 with First Bank and Trust Company in the amount of \$185,000 be approved and the execution thereof and the City Attorney to execute any and all documents to effectuate the purchase of the property be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-186 dated June 21, 2011, by Blaine Nice
2. Contract No. K-1011-186

and the question being upon approving Contract No. K-1011-186 with First Bank and Trust Company in the amount of \$185,000 and upon the subsequent authorizations, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-1011-186 with First Bank and Trust Company in the amount of \$185,000 approved and the execution thereof was authorized and the City Attorney was authorized to execute any and all documents to effectuate the purchase of the property.

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Item 20, being:

RESOLUTION NO. R-1011-133: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY AUTHORIZING THE CHAIRMAN TO SUBMIT A BUREAU OF RECLAMATION (BOR) GRANT APPLICATION FOR WATERSMART ADVANCED WATER TREATMENT PILOT AND DEMONSTRATION PROJECT GRANTS.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Resolution No. R-1011-133 be adopted and the submission thereof be directed to the Bureau of Reclamation, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. R-1011-133 dated June 23, 2011, by Mark Daniels
2. Resolution No. R-1011-133
3. Pilot Study to Evaluation the Natural Attenuation of Arsenic and Selected Trace Elements in Groundwater, Norman, Oklahoma, submitted by Mark Daniels, Utilities Engineer and Project Manager and Chris Mattingly, Water Treatment Superintendent

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities
2. Mr. David Kempf, 317 Towry Drive, asked questions

and the question being upon adopting Resolution No. R-1011-133 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Resolution No. R-1011-133 adopted; and the submission thereof was directed to the Bureau of Reclamation.

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Item 21, being:

RESOLUTION NO. R-1011-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING MILLER VALENTINE GROUP IN ITS ENDEAVOR TO CONSTRUCT UP TO A 50 UNITS OF SENIOR HOUSING, LOCATED ON BRANDYWINE LANE.

Councilmember Kovach moved that Resolution No. R-1011-135 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1011-135 dated June 10, 2011, by Linda Price, Revitalization Manager
2. Letter dated June 8, 2011, from Kevin Hogan, Senior Developer, Miller Valentine Group, to City Clerk, City of Norman
3. Location maps
4. Site plan
5. Site plan showing unit type
6. Miller Valentine Group Brochure
7. Experience Spreadsheet
8. Resolution No. R-1011-135

and the question being upon adopting Resolution No. R-1011-135, 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 Resolution No. R-1011-135 was adopted.

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Item 22, being:

RESOLUTION NO. R-1011-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$702 FROM THE FIRE INVESTIGATION LIABILITY ACCOUNT TO PURCHASE A BULLET PROOF VEST FOR THE FIRE DEPARTMENT.

Councilmember Kovach moved that Resolution No. R-1011-137 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1011-137 dated June 14, 2011, by James Fullingim, Fire Chief
2. Resolution No. R-1011-137

and the question being upon adopting Resolution No. R-1011-137, 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 Resolution No. R-1011-137 was adopted.

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Item 23, being:

RESOLUTION OF NGUYEN V. JOHN TERRY AND CITY OF NORMAN, CASE NO. CIV-10-0196-R, FOR SETTLEMENT OF MEDICAL BILLS IN THE AMOUNT OF \$11,000.

Councilmember Kovach moved that the Resolution of Nguyen v. John Terry and City of Norman, Case No. CIV-10-0196-R, for settlement of medical bills in the amount of \$11,000 be approved and payment be directed to Norman Regional Health Systems in the amount of \$11,000, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1011-40 dated June 14, 2011, by Rick Knighton, Assistant City Attorney
2. Text File No. GID-1011-30 dated April 14, 2011, by Jeff Bryant, City Attorney

and the question being upon approving the Resolution of Nguyen v. John Terry and City of Norman, Case No. CIV-10-0196-R, for settlement of medical bills in the amount of \$11,000 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 Resolution of Nguyen v. John Terry and City of Norman, Case No. CIV-10-0196-R, for settlement of medical bills in the amount of \$11,000 approved; and payment was directed to Norman Regional Health Systems in the amount of \$11,000.

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Item 24, being:

ORDINANCE NO. O-1011-58: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE VIII, SECTIONS 8-103 AND 8-104 OF CHAPTER 8 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR THE ESTABLISHMENT OF GENERAL FUND OPERATING RESERVE REQUIREMENTS, ESTABLISHMENT OF GENERAL FUND EMERGENCY RESERVE REQUIREMENTS, CREATION OF A NET REVENUE STABILIZATION (“RAINY DAY”) FUND, ESTABLISHING REQUIREMENTS FOR FUNDING OF THE NET REVENUE STABILIZATION FUND, ESTABLISHING RESTRICTIONS ON THE APPROPRIATION AND USE OF NET REVENUE STABILIZATION FUND BALANCES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-58 having been Introduced and adopted upon First Reading by title in City Council's meeting of June 14, 2011, Councilmember Cubberley moved that Ordinance No. O-1011-58 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1011-58 dated May 31, 2011, by Anthony Francisco, Director of Finance
2. Ordinance No. O-1011-58
3. Legislatively notated copy of Ordinance No. O-1011-58
4. Pertinent excerpts from Finance Committee minutes of April 20 and May 18, 2011

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance
2. Mr. David Kempf, 317 Towry Drive, asked questions

and the question being upon adopting Ordinance No. O-1011-58 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-1011-58 was adopted upon Second Reading section by section.

Item 24, continued:

Thereupon, Councilmember Cubberley moved that Ordinance No. O-1011-58 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1011-58 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-1011-58 was adopted upon Final Reading as a whole.

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Item 25, being:

ORDINANCE NO. O-1011-53: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 429.7 CREATING A ZONING OVERLAY DISTRICT FOR THE WATER QUALITY PROTECTION ZONE AND AMENDING SECTION 441(11) PROVIDING FOR SUBMITTALS FOR A VARIANCE FROM THE REQUIREMENTS OF THE WATER QUALITY PROTECTION ZONING OVERLAY DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Item 25 was withdrawn.

* * * * *

Item 26, being:

ORDINANCE NO. O-1011-52: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 19 OF THE CODE OF THE CITY OF NORMAN TO PROVIDE FOR STANDARDS AND REQUIREMENTS FOR A DESIGNATED WATER QUALITY PROTECTION ZONE INCLUSIVE OF THE LAKE THUNDERBIRD WATERSHED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-52 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 10, 2011; Councilmember Quinn having moved that Ordinance No. O-1011-53 be postponed on May 31, 2011, until June 28, 2011, which motion having been duly by Councilmember Dillingham, Councilmember Butler moved that Ordinance O-1011-52 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-52 dated March 28, 2011, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1011-52
3. Legislatively notated copy of Ordinance No. O-1011-52
4. Timeline of WQPZ Ordinances updated April 22, 2011
5. Memorandum dated April 7, 2011, from Bob Hanger, P.E., Storm Water Engineer, to Chairman and Members, Norman Planning Commission
6. Pertinent excerpts from Planning Commission minutes of April 14, 2011
7. City Council Planning and Community Development Committee minutes of April 8, 2011
8. City Council Conference minutes of March 8, 2011
9. City Council Planning and Community Development Committee minutes of February 11, 2011
10. Memorandum dated June 24, 2011, from Steve Lewis, City Manager, to Honorable Mayor and Councilmembers
11. Substitute Ordinance O-1011-52 recommended by Planning Commission during their Special Meeting of June 23, 2011
12. Substitute legislatively notated copy of Ordinance O-1011-52 recommended by Planning Commission during their Special Meeting of June 23, 2011
13. Planning Commission Special Meeting minutes of June 23, 2011

Item 26, continued:

Thereupon, Councilmember Quinn moved that Ordinance No. O-1011-52 adopted upon First Reading by title be substituted with Ordinance No. O-1011-52 as voted on by the Planning Commission on June 23, 2011, and provided to Council; which motion was duly seconded by Councilmember Dillingham;

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney
2. Dr. Baxter Vieux, 2008 Grandview Avenue, Central Oklahoma Master Conservancy District member
3. Mr. Randy Worden, 12500 Alameda Drive, Director of the Central Oklahoma Master Conservancy District
4. Ms. Shannon Phillips, Director of Water Quality Division, Oklahoma Conservation Commission
5. Mr. Jim Harvey, 321 84th Avenue N.E., asked questions
6. Mr. Jeff Bryant, City Attorney
7. Mr. Larry Steele, 730 Hoover Street, made comments
8. Ms. Leslie Rard, 5840 48th Avenue N.E. asked questions
9. Mr. Harold Haralson, 516 Avon Drive, made comments
10. Mr. Robert Grimm, 2824 Edgewater Court, made comments
11. Ms. Brande' Kauffman, 146 Page, protestant
12. Mr. Mike Givel, 2800 Barry Switzer, representing Red Earth/Sierra Club, made comments
13. Mr. Mark Myers, 2829 Dewey Avenue, protestant
14. Mr. Isaiah McCaslin, 827 West Comanche, proponent
15. Mr. Glen Brown, P.O. Box 2667, proponent
16. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, made comments
17. Mr. Shawn O'Leary, Director of Public Works
18. Mr. Brad Hughes, 9610 Moa Circle, made comments
19. Mr. Casey Holcomb, 127B West Acres, proponent
20. Mr. Tracy Key, 403 George Cross Circle, asked questions
21. Mr. Darrell Janaway, 5012 Deerhurst Drive, proponent
22. Representative Aaron Stiles, 3901 113th Avenue N.E., made comments
23. Mr. Jason Julian, 2500 Weymouth Place, proponent
24. Mr. Roger Gallagher, 1522 East Boyd Street, made comments
25. Ms. Liz Bergey, 2114 Bud Wilkinson Court, made comments
26. Mr. David Kempf, 317 Towry Drive, made comments
27. Mr. Luke Salazar, 418 East Hughbert, asked questions
28. Mr. Keith Steincamp, 441 Waterfront, protestant
29. Mr. Ben Alpers, 208 East Chautauqua Avenue, proponent
30. Ms. Nancy Yoch, 617 Okmulgee, proponent
31. Ms. Kara Joy McKee, 314 East Duffy, proponent
32. Mr. Mark Campbell, 2821 Dewey Avenue, made comments
33. Mr. Ron Williams, 1732 Crestmont Avenue, made comments
34. Ms. Karen Quartuccio, 9401 East Tecumseh Road, made comments
35. Ms. Lynne Miller, 801 48th Avenue S.E., proponent
36. Mr. John Woods, Executive Director, Norman Chamber of Commerce, proponent
37. Mr. Dave Spaulding, 6700 103rd Avenue N.E., made comments
38. Mr. Harold Heiple, 218 East Eufaula, attorney representing Norman Developers Council, proponent
39. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the Builders Association of South Central Oklahoma, proponent
40. Mr. Bobby Stevens, 3801 108th Avenue S.E., made comments
41. Mr. Jim Simpson, 2530 Wyndotte Way, made comments
42. Mr. Chris Applegate, 728 Humming Fish Drive, proponent
43. Mr. Stephen Tyler Holman, 1020 South College, proponent

Item 26, continued:

Thereupon, Councilmember Dillingham moved that Section 19-411(D) of substituted Ordinance No. O-1011-52 be amended as follows:

- D. In second-order streams with continuous flow water or in ~~and~~ higher order streams, 25 feet shall be added to the base width outlined in Section 19-411(B) above.

which motion was duly seconded by Councilmember Griffith; and the question being upon amending Section 19-411(D) of substituted Ordinance No. O-1011-52 as stated above, 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 Section 19-411(D) of substituted Ordinance No. O-1011-52 was amended as stated above.

Thereupon, Councilmember Dillingham moved to amend substituted Ordinance No. O-1011-52 to add a new Section 8 to read as follows:

§8. If the provisions of any existing section of Chapter 19 conflicts with any section this Water Quality Protection Zone ordinance, then the provision of this ordinance O-1011-52 will control and prevail.

§ -8-9. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reasons, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provisions of the ordinance.

which motion was duly seconded by Councilmember Quinn; and the question being upon amending substituted Ordinance No. O-1011-52 as stated above, 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 substituted Ordinance No. O-1011-52 was amended as stated above.

and the question being upon substituting Ordinance No. O-1011-52 adopted upon First Reading by title with Ordinance No. O-1011-52 as voted on by the Planning Commission on June 23, 2011, and provided to Council, a vote was taken with the following result;

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	Councilmember Atkins
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The Mayor declared the motion carried and Ordinance No. O-1011-52 adopted upon First Reading by title was substituted with Ordinance No. O-1011-52 as voted on by the Planning Commission on June 23, 2011, and provided to Council.

Item 26, continued:

and the question being upon adopting Ordinance No. O-1011-52, as amended, upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: Councilmember Atkins

The Mayor declared the motion carried and Ordinance No. O-1011-52, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1011-52, as amended, 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-1011-52, as amended, upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: Councilmember Atkins

The Mayor declared the motion carried and Ordinance No. O-1011-52, as amended, was adopted upon Final Reading as a whole.

Item 27, being:

RESOLUTION NO. R-1011-120: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE STORM WATER MASTER PLAN FINAL REPORT DATED OCTOBER, 2009.

Councilmember Butler moved that Resolution No. R-1011-120 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1011-120 dated May 11, 2011, by Bob Hanger, Storm Water Engineer
2. Resolution No. R-1011-120
3. Memorandum dated June 27, 2011, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers
4. Resolution No. R-1011-120 as amended

Thereupon, Councilmember Dillingham moved that Section 9 of Resolution No. R-1011-120 be amended to read as follows:

9. That the City of Norman hereby adopts the Storm Water Master Plan Final Report, dated October 2009, as ~~the basis for~~ a flexible planning tool to assist in the development of future policy and regulations; and

which motion was duly seconded by Councilmember Kovach; and the question being upon amending Section 9 of Resolution No. R-1011-120 as stated above, 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 Section 9 of Resolution No. R-1011-120, was amended, as stated above.

Item 27, continued:

and the question being upon adopting Resolution No. R-1011-120, as amended, 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-1011-120, as amended, was adopted.

* * * * *

MISCELLANEOUS DISCUSSION

Ward Five Improvements. Mr. Bobby Stevens, 3801 108th Avenue S.E., thanked Council for their service and Councilmember Butler for her efforts with the recycling center at the new eastside fire station as well as improvements at Little Axe Recreation Center and bus service to Little Axe.

*

Action Center. Mr. Bobby Stevens, 3801 108th Avenue S.E., thanked Sandy Keating, who recently retired from the Action Center, for her contributions to the citizens of Norman. He said she was a valuable employee of the City and will be missed by everyone who knew her.

*

Communication and Participation. Mr. Bobby Stevens, 3801 108th Avenue S.E., referenced remarks he made at the June 23rd Planning Commission when he used the word communism. He wanted to make it very clear, he does not believe any Planning Commissioner or City Councilmember is a communist or has communist ties. He used it in reference to the taking of land and did not mean to offend anyone by his comments. He felt the concerns and issues the City faces are the result of a lack of communication. He urged Council to work on the communication issues and for citizens to get involved in their local government.

Councilmember Kovach said appreciated Mr. Stevens clarification on his comments regarding communism because he does take that very personal. He said if this was a communist society we would not have had the discussion we had this evening.

*

Thank Yous. Councilmember Quinn thanked Councilmembers Atkins, Butler, and Cubberley for their service to the Norman community.

Councilmember Atkins thanked Council and staff for their support during his tenure as well as the citizens of Ward One.

*

Storm Water Master Plan. Councilmember Dillingham thanked Duke Altman with PBS&J for his hard work on the Storm Water Master Plan.

*

Sustainability. Councilmember Kovach said comments and references were made earlier this evening to the City trying to be sustainable. He said the 2005 Mayors' Climate Protection Agreement was signed by Mayor Haralson not Mayor Rosenthal and felt when people throw facts around during their comments, they should make sure they are indeed facts. He said it is dangerous when someone takes words that represent important ideas such as sustainability and turn them into a dangerous word that make one think people are out to get you. He said sustainability has been practiced a lot longer than the United Nations has been around. He said sustainability is just good stewardship of the land.

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

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ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Butler; 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
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 12:55 a.m.

ATTEST:

City Clerk

Mayor