

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

July 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 July, 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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Spaulding, Mayor Pro Tem Quinn

ABSENT: Mayor Rosenthal

The Pledge of Allegiance was led by Mayor Pro Tem Quinn.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 22 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 22, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Item 6 through Item 22 were placed on the consent docket by unanimous vote.

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Items 4 and 5 were considered after Item 26.

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Item 6, being:

SUBMISSION OF THE NORMAN REGIONAL HOSPITAL 2012 BUDGET.

Councilmember Kovach moved that receipt of the Norman Regional Hospital 2012 Budget 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-1011-44 dated May 23, 2011, by Brenda Hall, City Clerk
2. Letter dated June 28, 2011, from David Whitaker, FACHE, President and Chief Operating Officer, Norman Regional Health System, to Mrs. Brenda Hall, City Clerk
3. Norman Regional Health System FYE 2012 Operating Budget
4. Norman Regional Health System FY 2012 Budgeted Volumes

and the question being upon acknowledging receipt of the Norman Regional Hospital 2012 Budget and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and receipt of the Norman Regional Hospital 2012 Budget acknowledged; and the filing thereof was directed.

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Item 7, being:

CONSIDERATION OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE FEE IN LIEU OF TAXES PAYMENT IN THE AMOUNT OF \$8,587.24 FOR 2010.

Councilmember Kovach moved that the request from the Norman Housing Authority to waive the fee in lieu of taxes payment in the amount of \$8,587.24 for 2010 be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-01 dated June 28, 2011, by Brenda Hall, City Clerk
2. Letter of request dated February 15, 2011, from Karen S. Canavan, Executive Director, Norman Housing Authority, to Mayor Cindy S. Rosenthal
3. Computation of Payments in Lieu of Taxes for Fiscal Year Ended June 30, 2010, for the Norman Housing Authority prepared by the United States Department of Housing and Urban Development Office of Public and Indian Housing

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Mr. Jeff Bryant, City Attorney

and the question being upon approving the request from the Norman Housing Authority to waive the fee in lieu of taxes payment in the amount of \$8,587.24 for 2010, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and the request from the Norman Housing Authority to waive the fee in lieu of taxes payment in the amount of \$8,587.24 for 2010 was approved.

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Item 8, being:

CONSIDERATION OF AWARDED BID NO. 1011-80; APPROVAL OF CONTRACT NO. K-1011-181 WITH RMD HOLDINGS, LTD., D/B/A NATIONWIDE CONSTRUCTION GROUP IN THE AMOUNT OF \$527,369.48 AND CHANGE ORDER NO. ONE DECREASING THE CONTRACT AMOUNT BY \$114,518.30 FOR THE CONSTRUCTION OF A COMPRESSED NATURAL GAS FAST FILL AND SLOW FILL PUBLIC FUELING FACILITY AND ADOPTION OF RESOLUTION NO. R-1011-132.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$527,369.48 be awarded to RMD Holdings, LTD., d/b/a Nationwide Construction Group as the lowest and best bidder meeting specifications; Contract No. K-1011-181 and Change Order No. One decreasing the contract amount by \$114,518.30 be approved; the Mayor be authorized to execute the contract and change order and sign Performance Bond No. B-1011-110, Statutory Bond No. B-1011-111, and Maintenance Bond No. MB-1011-103 contingent upon the City Attorney's approval, and Resolution No. R-1011-132 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-181 dated June 29, 2011, by Mike White, Fleet Superintendent
2. Bid record dated June 9, 2011, for Part A-Fast Fill Site Package, and Part B Slow Fill Site Package
3. Contract No. K-1011-181
4. Change Order No. One to Contract No. K-1011-181
5. Resolution No. R-1011-132
6. Purchase Requisition No. 0000188812 dated July 7, 2011, in the amount of \$412,851.18 to Nationwide Construction Group

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. Shawn O'Leary, Director of Public Works
3. Mr. Anthony Francisco, Director of Finance

Item 8, continued:

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

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$527,369.48 was awarded to RMD Holdings, LTD., d/b/a Nationwide Construction Group as the lowest and best bidder meeting specifications; Contract No. K-1011-181 and Change Order No. One decreasing the contract amount by \$114,5128.30 were approved; the Mayor was authorized to execute the contract and change order and sign Performance Bond No. B-1011-110, Statutory Bond No. B-1011-111, and Maintenance Bond No. MB-1011-103 contingent upon the City Attorney's approval; and Resolution No. R-1011-132 was adopted.

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Item 9, being:

CONSIDERATION OF AWARDING BID NO. 1011-81 AND APPROVAL OF CONTRACT NO. K-1011-182 WITH TULSA GAS TECHNOLOGIES, INC., IN THE AMOUNT OF \$133,730; CHANGE ORDER NO. ONE DECREASING THE CONTRACT AMOUNT BY \$10,500 FOR THE INSTALLATION OF COMPRESSED NATURAL GAS (CNG) FAST FILL AND SLOW FILL STATION EQUIPMENT, ADOPTION OF RESOLUTION NO. R-1011-138, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$133,730 be awarded to Tulsa Gas Technologies, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-182 and Change Order No. One decreasing the contract amount by \$10,500 be approved; the Mayor be authorized to execute the contract and change order and sign Performance Bond No. B-1011-112, Statutory Bond No. B-1011-113, and Maintenance Bond No. MB-1011-104 contingent upon the City Attorney's approval; Resolution No. R-1011-138 be adopted; and \$14,558 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0071, CNG Facility Fast Fill Station, Construction (050-9381-431.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-182 dated July 1, 2011 by Mike White, Fleet Superintendent, with attached table of the CNG Equipment Installation Budget
2. Bid record dated June 9, 2011, for Part A, Fast Fill Equipment Installation, and Part B, Slow Fill Equipment Installation
3. Contract No. K-1011-182
4. Change Order No. One to Contract No. K-1011-182
5. Resolution No. R-1011-138
6. Purchase Requisition No. 0000188817 dated July 7, 2011, in the amount of \$123,230 to Tulsa Gas Technologies, Inc.

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. Shawn O'Leary, Director of Public Works
3. Mr. Anthony Francisco, Director of Finance

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

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$133,730 was awarded to Tulsa Gas Technologies, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-182 and Change Order No. One decreasing the contract amount by \$10,500 were approved; the Mayor was authorized to execute the contract and change order and sign Performance Bond No. B-1011-112, Statutory Bond No. B-1011-113, and Maintenance Bond No. MB-1011-104 contingent upon the City Attorney's approval, Resolution No. R-1011-138 was adopted; and \$14,558 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0071, CNG Facility Fast Fill Station, Construction (050-9381-431.61-01).

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Item 10, being:

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1011-118 DONATED BY THE UNIVERSITY OF OKLAHOMA FOR THE CITY OF NORMAN COMPRESSED NATURAL GAS (CNG) FUELING FACILITY AND TO ALLOW PERMANENT ACCESS TO GODDARD STREET.

Councilmember Kovach moved that Easement No. E-1011-118 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1011-118 dated July 5, 2011, by Mike White, Fleet Superintendent
2. Letter dated June 1, 2011, from Michael Moorman, Director, Architectural and Engineering Services, the University of Oklahoma, to Mr. Shawn O'Leary, P.E., CFM, Director of Public Works
3. Easement No. E-1011-118 with Exhibit "A," legal description and location map

and the question being upon accepting Easement No. E-1011-118 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Easement No. E-1011-118 accepted; the filing thereof with the Cleveland County Clerk was directed.

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Item 11, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1011-119 DONATED BY THE UNIVERSITY OF OKLAHOMA FOR THE CITY OF NORMAN COMPRESSED NATURAL GAS (CNG) FUELING FACILITY.

Councilmember Kovach moved that Temporary Easement No. E-1011-119 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1011-119 dated July 5, 2011, by Mike White, Fleet Superintendent
2. Letter dated June 1, 2011, from Michael Moorman, Director, Architectural and Engineering Services, the University of Oklahoma, to Mr. Shawn O'Leary, P.E., CFM, Director of Public Works
3. Temporary Easement No. E-1011-119 with Exhibit "A," legal description and location map

and the question being upon accepting Temporary Easement No. E-1011-119 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Temporary Easement No. E-1011-119 accepted; the filing thereof with the City Clerk was directed.

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Item 12, being:

CONSIDERATION OF THE RELEASE OF CASH SURETIES FOR DEFERRED CONSTRUCTION OF PAVING AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH TECUMSEH ROAD BUSINESS PARK ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT, AND THE AMENDED FINAL PLAT FOR TECUMSEH ROAD BUSINESS PARK ADDITION.

Councilmember Kovach moved that the release of the owner's obligation for deferred construction of paving and sidewalk improvements be approved and the return of Certificate of Deposit No. 16179 in the amount of \$29,777 and Certificate of Deposit No. 23504 in the amount of \$16,715.50 be directed to the owner, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-02 dated June 28, 2011, by Ken Danner, Development Manager
2. Location map
3. Aerial map
4. Letter of request dated May 9, 2011, from Gail Armstrong, President, Gail Armstrong Construction, Inc., to Mr. Ken Danner, Development Manager
5. Certificate of Deposit No. 16179 issued March 19, 1998, in the amount of \$29,777 from Gail Armstrong Construction, Inc.
6. Certificate of Deposit No. 23504 issued March 30, 1999, in the amount of \$16,715.50 from Gail Armstrong Construction, Inc.
7. Pertinent excerpts from City Council minutes of October 14, 1997, and March 23, 1999

and the question being upon approving the release of the owner's obligation for deferred construction of paving and sidewalk improvements and upon the subsequent directive, a vote was taken with the following vote:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion carried and the release of the owner's obligation for deferred construction of paving and sidewalk improvements approved; and the return of Certificate of Deposit No. 16179 in the amount of \$29,777 and Certificate of Deposit No. 23504 in the amount of \$16,715.50 was directed to the owner.

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Item 13, being:

CONSIDERATION OF THE RELEASE OF CASH SURETY FOR DEFERRED CONSTRUCTION OF PAVING AND SIDEWALK IMPROVEMENTS ON EAST ROCK CREEK ROAD IN CONNECTION WITH WINDSTONE ADDITION.

Councilmember Kovach moved that the release of the owner's obligation for deferred construction of paving and sidewalk improvements be approved and the return of Certificate of Deposit No. 20924 in the amount of \$25,969.50 be directed to the owner, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-03 dated June 28, 2011, by Ken Danner, Development Manager
2. Location map
3. Aerial map
4. Certificate of Deposit No. 20924 issued April 10, 2002, in the amount of \$25,969.50 from Sassan K. Moghadam
5. Email dated April 26, 2011, from Sassan Moghadam, Precision Builders, L.L.C., to Ken Danner
6. Pertinent excerpts from City Council minutes of June 12, 2001

Item 13, continued:

and the question being upon approving the release of the owner's obligation for deferred construction of paving and sidewalk improvements and upon the subsequent directive, a vote was taken with the following vote:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the release of the owner's obligation for deferred construction of paving and sidewalk improvements approved; and the return of Certificate of Deposit No. 20924 in the amount of \$25,969.50 was directed to the owner.

Item 14, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0607-122: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND PROFESSIONAL ENGINEERING CONSULTANTS, P.A., INCREASING THE AMOUNT BY \$59,910 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE HIGH PRESSURE PLANE UPGRADE FOR THE WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROJECT, SEGMENT A.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Two to Contract No. K-0607-122 with Professional Engineering Consultants, P.A., increasing the contract amount by \$59,910 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-0607-122, Amendment No. 2, dated June 29, 2011, by Mark Daniels, Utilities Engineer
2. Amendment No. Two to Contract No. K-0607-122 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Method of Payment
3. Location map
4. Purchase Order No. 144118 dated March 12, 2007, in the amount of \$88,960 adding Amendment No. One in the amount of \$26,995 and Amendment No. Two in the amount of \$59,510 for a total contract price of \$175,465

and the question being upon approving Amendment No. Two to Contract No. K-0607-122 with Professional Engineering Consultants, P.A., increasing the contract amount by \$59,910 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Vice- Chairman Quinn
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NAYES:	None
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The Vice-Chairman declared the motion carried and Amendment No. Two to Contract No. K-0607-122 with Professional Engineering Consultants, P.A., increasing the contract amount by \$59,910 approved; and the execution thereof was authorized.

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Item 15, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0809-44: BY AND BETWEEN THE CITY OF NORMAN AND SAIC ENERGY, ENVIRONMENT AND INFRASTRUCTURE, L.L.C., (FORMERLY BENHAM GROUP, L.L.C.) INCREASING THE CONTRACT AMOUNT BY \$3,060 FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE HIGHWAY 77 (CLASSEN BLVD) AND IMHOFF ROAD INTERSECTION IMPROVEMENTS PROJECT.

Councilmember Kovach moved that Amendment No. Two to Contract No. K-0809-44 with SAIC Energy, Environment, and Infrastructure, L.L.C., (formerly Benham Group, L.L.C.) increasing the contract amount by \$3,060 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-0809-44, Amendment No. 2, dated June 28, 2011, by John Clink, Capital Projects Engineer
2. Amendment No. Two to Contract No. K-0809-44 with Attachment A-2, Scope of Services, and Exhibit A2.2, Fee Proposal
3. Location map
4. Purchase Requisition No. 0000187979 dated June 20, 2011, in the amount of \$3,060 to SAIC Energy, Environment, and Infrastructure, L.L.C.

and the question being upon approving Amendment No. Two to Contract No. K-0809-44 with SAIC Energy, Environment, and Infrastructure, L.L.C., (formerly Benham Group, L.L.C.) increasing the contract amount by \$3,060 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Amendment No. Two to Contract No. K-0809-44 with SAIC Energy, Environment, and Infrastructure, L.L.C., (formerly Benham Group, L.L.C.) increasing the contract amount by \$3,060 approved; and the execution thereof was authorized.

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Item 16, being:

CONTRACT NO. K-1112-01: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICES, WILDLIFE SERVICES IN THE AMOUNT OF \$12,500 FOR THE CONTROL OF AQUATIC RODENTS.

Councilmember Kovach moved that Contract No. K-1112-01 with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services in the amount of \$12,500 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-1112-01 dated June 28, 2011, by Greg Hall, Street Superintendent
2. Contract No. K-1112-01
3. Purchase Requisition No. 0000188632 dated July 1, 2011, in the amount of \$12,500 to United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services

and the question being upon approving Contract No. K-1112-01 with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services in the amount of \$12,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and Contract No. K-1011-4 with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services in the amount of \$12,500 approved; and the execution thereof was authorized.

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Councilmember Dillingham asked that she be allowed to abstain from voting on Item 17 due to a conflict of interest. Thereupon, Councilmember Ezzell moved that Councilmember Dillingham be allowed to abstain from voting on Item 17 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Dillingham to abstain from voting on Item 17 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None
ABSTAIN:	Councilmember Dillingham

The Mayor Pro Tem declared the motion carried and Councilmember Dillingham was allowed to abstain from voting on Item 17 due to a conflict of interest.

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Item 17, being:

CONTRACT NO. K-1112-02: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE BOARD OF CLEVELAND COUNTY COMMISSIONERS, CLEVELAND COUNTY, OKLAHOMA, FOR A COOPERATIVE INTERLOCAL AGREEMENT FOR THE MAINTENANCE, CONSTRUCTION, AND REPAIR OF SECTION LINE ROADS WITHIN THE CITY OF NORMAN THROUGH JUNE 30, 2012.

Councilmember Kovach moved that Contract No. K-1112-02 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2012, 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-1112-02 dated June 28, 2011, by Greg Hall, Street Superintendent
2. Contract No. K-1112-02

and the question being upon approving Contract No. K-1112-02 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2012, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None
ABSTAIN:	Councilmember Dillingham

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-02 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2012, approved; and the execution thereof was authorized.

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Item 18, being:

CONTRACT NO. K-1112-03: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE OKLAHOMA WATER RESOURCES BOARD AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF \$5,600 FOR THE MUSTANG ROAD AND INTERSTATE 35 (I-35) RIVER GAUGING STATIONS ALONG THE SOUTH CANADIAN RIVER THROUGH JUNE 30, 2012.

Acting as the City Council and the Norman Utilities Authority, Councilmember Kovach moved that Contract No. K-1112-03 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of \$5,600 through June 30, 2012, 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-1112-03 dated June 27, 2011, by Mark Daniels, Utilities Engineer
2. Contract No. K-1112-03 with attached program description
3. Purchase Requisition No. 0000188843 dated July 7, 2011, in the amount of \$5,600 to Oklahoma Water Resources Board

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Item 18, continued:

and the question being upon approving Contract No. K-1112-03 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of \$5,600 through June 30, 2012, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-03 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of \$5,600 through June 30, 2012, approved; and the execution thereof was authorized.

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Mayor Pro Tem Quinn asked that he be allowed to abstain from voting on Item 19 due to a conflict of interest. Thereupon, Councilmember Ezzell moved that Mayor Pro Tem Quinn be allowed to abstain from voting on Item 19 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith, and the question being upon allowing Mayor Pro Tem Quinn to abstain from voting on Item 19 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, and Spaulding
NAYES:	None
ABSTAIN:	Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Mayor Pro Tem Quinn was allowed to abstain from voting on Item 19 due to a conflict of interest.

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Item 19, being:

CONSIDERATION OF A REQUEST FOR FUNDING FROM THE CENTER FOR CHILDREN AND FAMILIES, INC., AND APPROVAL OF CONTRACT NO. K-1112-04 IN THE AMOUNT OF \$80,000.

Councilmember Kovach moved that Contract No. K-1112-04 with the Center for Children and Families, Inc., in the amount of \$80,000 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-1112-04 dated June 27, 2011, by Clint Mercer, Municipal Accountant
 2. Contract No. K-1112-04 with Exhibit "A," letter dated May 31, 2011, from Katie Fitzgerald, MSW, Executive Director, Center for Children and Families, Inc., to Brenda Hall, City Clerk
 3. Pertinent excerpts from Finance Committee minutes of February 16, 2011
 4. Purchase Requisition No. 0000188845 dated July 7, 2011, in the amount of \$80,000 to Center for Children and Families, Inc.

and the question being upon approving Contract No. K-1112-04 with the Center for Children and Families, Inc., in the amount of \$80,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, and Spaulding
NAYES:	None
ABSTAIN:	Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-04 with the Center for Children and Families, Inc., in the amount of \$80,000 approved; and the execution thereof was authorized.

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Item 20, being:

CONSIDERATION OF A REQUEST FOR FUNDING FROM THE PERFORMING ARTS STUDIO IES, INC., AND APPROVAL OF CONTRACT NO. K-1112-06 IN THE AMOUNT OF \$2,700.

Councilmember Kovach moved that Contract No. K-1112-06 with the Performing Arts Studio in the amount of \$2,700 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-1112-06 dated June 28, 2011, by Clint Mercer
2. Contract No. K-1112-06 with Exhibit "A," letter dated July 1, 2011, from Rick Fry, Executive Director, Performing Arts Studio, to Mr. Anthony Francisco, Finance Director
3. Pertinent excerpts from Finance Committee minutes of February 16, 2011
4. Purchase Requisition No. 0000188846 dated July 7, 2011, in the amount of \$2,700 to Performing Art Studio

and the question being upon approving Contract No. K-1112-06 with the Performing Arts Studio in the amount of \$2,700 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-06 with the Performing Arts Studio in the amount of \$2,700 approved; and the execution thereof was authorized.

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Item 21, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$6,804.65 REGARDING EARL BRIDGFORD VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2010-14362F.

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 \$6,804.65 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-07 dated July 6, 2011, with Attachment 1, Workers' Compensation Court Order No. WCC 2010-14362F filed June 24, 2011, and Attachment 2, summary of award and list of additional costs, fees, and filing fee in Cleveland County
2. Purchase Requisition No. 0000188764 dated July 6, 2011, in the amount of \$6,502.32 to Earl Bridgeford and John Forbes
3. Purchase Requisition No. 0000188765 dated July 6, 2011, in the amount of \$118.22 to Workers' Compensation Administration Fund Tax
4. Purchase Requisition No. 0000188766 dated July 6, 2011, in the amount of \$44.33 to Special Occupational Health and Safety Fund
5. Purchase Requisition No. 0000188767 dated July 6, 2011, in the amount of \$140 to Workers' Compensation Court
6. Purchase Requisition No. 0000188768 dated July 6, 2011, in the amount of \$118 to Cleveland County Court Clerk

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

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem 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 \$6,804.65 which will constitute judgment against the City of Norman was directed.

* * * * *

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Item 22, being:

RESOLUTION NO. R-1112-06: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2012.

Councilmember Kovach moved that Resolution No. R-1112-06 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. R-1112-06 dated June 28, 2011, by Brenda Hall, City Clerk
- 2. Memorandum dated May 27, 2011, from Anita Kroth, 9-1-1 Association of Central Oklahoma Governments, to City Council/Board of Trustees/City Clerks/City Managers
- 3. Resolution No. R-1112-06

and the question being upon adopting Resolution No. R-1112-06, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-06 was adopted.

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Item 23, being:

RESOLUTION NO. R-1011-105: 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-1011-13, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE WEST SIDE OF U.S. HIGHWAY 77 AT FRANKLIN ROAD)

Councilmember Kovach moved that Resolution No. R-1011-105, Land Use Plan Amendment No. LUP-1011-13, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. R-1011-105 dated March 22, 2011, by Doug Kosciński
- 2. Resolution No. R-1011-105, Land Use Plan Amendment No. LUP-1011-13
- 3. Location map
- 4. Staff Report dated May 12, 2011, recommending approval
- 5. Pertinent excerpts from Planning Commission minutes of May 12, 2011

Participants in discussion

- 1. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon adopting Resolution No. R-1011-105, Land Use Plan Amendment No. LUP-1011-13, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Resolution No. R-1011-105, Land Use Plan Amendment No. LUP-1011-13, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

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Item 24, being:

ORDINANCE NO. O-1011-48: 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)

Ordinance No. O-1011-48 having been Introduced and adopted upon First Reading by title in City Council's meeting of June 28, 2011, Councilmember Kovach moved that Ordinance No. O-1011-48 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-1011-48 dated March 22, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-48 with Exhibit A, Site Plan
3. Location map
4. Staff Report dated May 12, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of May 12, 2011

and the question being upon adopting Ordinance No. O-1011-48 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Ordinance No. O-1011-48 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-48 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-1011-48 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Ordinance No. O-1011-48 was adopted upon Final Reading as a whole.

* * * * *

Councilmember Ezzell asked that he be allowed to abstain from voting on Item 25 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Ezzell be allowed to abstain from voting on Item 25 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Ezzell to abstain from voting on Item 25 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
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NAYES:	None
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ABSTAIN:	Councilmember Ezzell
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The Mayor Pro Tem declared the motion carried and Councilmember Ezzell was allowed to abstain from voting on Item 25 due to a conflict of interest.

* * * * *

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Item 25, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR FRANKLIN BUSINESS PARK ADDITION GENERALLY LOCATED ON THE WEST SIDE OF U.S. HIGHWAY 77 AT FRANKLIN ROAD AND WAIVER OF ALLEY REQUIREMENTS.

Councilmember Griffith moved that the preliminary plat and waiver of alley requirements for Franklin Business Park Addition be approved, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. PP-1011-21 dated March 22, 2011, by Ken Danner, Development Manager, with attached traffic impact chart
2. Location map
3. Revised preliminary plat
4. Revised preliminary site plan
5. Staff Report dated May 12, 2011, recommending approval
6. City of Norman Development Review Form, Transportation Impacts, dated May 4, 2011, for Franklin Business Park Preliminary Plat conducted by David E. Riesland, P.E., Assistant City Traffic Engineer
7. City of Norman Predevelopment Case No. PD 11-08 dated March 24, 2011, for Franklin Business Park, L.L.C.
8. Norman Greenbelt Enhancement Statement dated March 7, 2011, for Franklin Business Park
9. Greenbelt Commission Comments dated March 21, 2011
10. Letter requesting alley waiver dated March 28, 2011, from Ole M. Marcussen, P.E., SMC Consulting Engineers, P.E., to Mr. Jim Gasaway, Chairman, Norman Planning Commission
11. Pertinent excerpts from Planning Commission minutes of May 12, 2011

and the question being upon approving the preliminary plat and waiver of alley requirements for Franklin Business Park Addition, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None
ABSTAIN:	Councilmember Ezzell

The Mayor declared the motion carried and the preliminary plat and waiver of alley requirements for Franklin Business Park Addition was approved.

* * * * *

Councilmember Ezzell asked that he be allowed to abstain from voting on Item 26 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Ezzell be allowed to abstain from voting on Item 26 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Ezzell to abstain from voting on Item 26 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None
ABSTAIN:	Councilmember Ezzell

The Mayor Pro Tem declared the motion carried and Councilmember Ezzell was allowed to abstain from voting on Item 26 due to a conflict of interest.

* * * * *

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Item 26, being:

ORDINANCE NO. O-1011-56: 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)

Ordinance No. O-1011-56 having been Introduced and adopted upon First Reading by title in City Council's meeting of June 28, 2011, Councilmember Kovach moved that Ordinance No. O-1011-56 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-1011-56 dated April 14, 2011, by Doug Kosciński
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
7. Staff memorandum dated April 11, 2011, from Brenda Hall, City Clerk, to Doug Kosciński, Current Planning Manager; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; and Ken Danner, Development Coordinator

Participants in discussion

1. Mr. Mark Hampton, 1119 Whispering Pines Drive, applicant

and the question being upon adopting Ordinance No. O-1011-56 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None
ABSTAIN:	Councilmember Ezzell

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1011-56 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-56 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-1011-56 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None
ABSTAIN:	Councilmember Ezzell

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1011-56 was adopted upon Final Reading as a whole.

* * * * *

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Items 4 and 5 were considered after Item 26 and before Item 28 which is to be considered before Item 27.

Item 4, being:

ORDINANCE NO. O-1112-05: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 2, SECTION 2-103, COUNCIL ETHICS, BY ADDING SUBSECTION (A)(7) AND ADDING SUBSECTION (C), CONFLICT OF INTEREST; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-05 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 O-1112-05 dated July 8, 2011, by Councilmember Kovach
- 2. Memorandum dated July 8, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
- 3. Legislatively notated copy of Ordinance No. O-1112-05

Participants in discussion

- 1. Mr. Harold Heiple, 218 East Eufaula Street, made comments
- 2. Mr. Jeff Bryant, City Attorney
- 3. Mr. Ben Alpers, 208 Chautauqua Avenue, asked questions

Thereupon, Councilmember Dillingham moved that Introducing and adopting Ordinance No. O-1112-05 upon First Reading by title be postponed until August 9, 2011, which motion was duly seconded by Councilmember Griffith;

Participants in discussion

- 1. Mr. Jeff Bryant, City Attorney
- 2. Mr. Harold Heiple, Heiple Law Offices, 218 East Eufaula Street, protestant
- 3. Mr. Ben Alpers, 208 Chautauqua Avenue, proponent
- 4. Mr. Steve Lewis, City Manager
- 5. Mr. Harold Haralson, 516 Avon Drive, protestant
- 6. Mr. Steve Lucas, 804 Fairway Drive, protestant

and the question being upon postponing Introducing and adopting Ordinance No. O-1112-05 upon First Reading by title until August 9, 2011, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Griffith, Lockett, Mayor Pro Tem Quinn

NAYES: Councilmembers Ezzell, Gallagher, Kovach, and Spaulding

The Mayor Pro Tem declared the motion failed and Introducing and adoption Ordinance No. O-1112-05 upon First Reading by title was not postponed until August 9, 2011.

and the question being upon the Introduction and adoption of Ordinance No. O-1112-05 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Kovach, and Spaulding

NAYES: Councilmembers Dillingham, Griffith, Lockett, Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion failed and Ordinance No. O-1112-05 was not Introduced and adopted upon First Reading by title.

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Item 4, continued:

Thereupon, Councilmember Lockett moved that Ordinance No. O-1112-05 be reconsidered for Introduction and adoption upon First Reading by title, which motion was duly seconded by Councilmember Ezzell; and the question being upon reconsidering Ordinance No. O-1112-05 for Introduction and adoption upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett, and
Spaulding

NAYES: Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-05 was reconsidered for Introduction and adoption upon First Reading by title.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-05 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Ezzell; and the question being upon Introducing and adopting Ordinance No. O-1112-05 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Ezzell,
Lockett, and Spaulding

NAYES: Councilmembers Dillingham, Griffith, Mayor
Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-05 was Introduced and adopted upon First Reading by title.

* * * * *

Item 5, being:

ORDINANCE NO. O-1112-06: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 2, SECTION 2-101, BY ADDING SUBSECTION (E) REGARDING PLACEMENT OF ITEMS ON THE AGENDA AT COUNCILMEMBERS REQUEST; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-06 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File O-1112-06 dated July 8, 2011, by Councilmember Kovach
2. Memorandum dated July 8, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
3. Legislatively notated copy of Ordinance No. O-1112-06

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula Avenue, made comments
2. Mr. Jeff Bryant, City Attorney
3. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
4. Mr. Harold Haralson, 516 Avon Drive, made comments
5. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
6. Mr. Steve Lucas, 804 Fairway Drive, made comments

Thereupon, Councilmember Dillingham moved that Introducing and adopting Ordinance No. O-1112-06 upon First Reading by title be postponed until August 9, 2011, which motion was duly seconded by Councilmember Griffith;

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Ms. Brenda Hall, City Clerk

Item 5, continued:

and the question being upon postponing Introducing and adopting Ordinance No. O-1112-06 upon First Reading by title until August 9, 2011, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Griffith, Lockett, Mayor Pro Tem Quinn

NAYES: Councilmembers Ezzell, Gallagher, Kovach, and Spaulding

The Mayor Pro Tem declared the motion failed and Introducing and adopting Ordinance No. O-1112-06 upon First Reading by title was not postponed until August 9, 2011.

and the question being upon the Introducing and adopting Ordinance No. O-1112-06 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Kovach, and Spaulding

NAYES: Councilmembers Dillingham, Griffith, Lockett, Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion failed and Ordinance No. O-1112-06 was not Introduced, read, and adopted upon First Reading by title.

Thereupon, Councilmember Lockett moved that Ordinance No. O-1112-06 be reconsidered for Introduction and adoption upon First Reading by title, which motion was duly seconded by Councilmember Ezzell; and the question being upon reconsidering Ordinance No. O-1112-06 for Introduction and adoption upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, and Spaulding

NAYES: Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-06 was reconsidered for Introduction and adoption upon First Reading by title.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-06 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Ezzell; which motion was duly seconded by Councilmember Ezzell; and the question being upon Introducing and adopting upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Kovach, Lockett, and Spaulding

NAYES: Councilmembers Dillingham, Griffith, Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-06 was Introduced and adopted upon First Reading by title.

* * * * *

Items 4 and 5 were considered after Item 26 and Item 28 was considered before Item 27.

* * * * *

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Item 28, being:

RESOLUTION NO. R-1112-08: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$72,375 FROM THE CITY COUNCIL, PROFESSIONAL MEMBERSHIPS ACCOUNT (OKLAHOMA MUNICIPAL LEAGUE DUES) TO PUBLIC WORKS, STORM WATER DRAINAGE OVERTIME ACCOUNT FOR ENHANCED STREET SWEEPING.

Councilmember Kovach moved that Resolution No. R-1112-08 be adopted, which motion was duly seconded by Councilmember Gallagher;

Items submitted for the record

1. Text File R-1112-8 dated July 8, 2011, by Councilmember Kovach
2. Memorandum dated July 8, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
3. Resolution No. R-1112-08

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Ms. Karin Schutjer, 208 Chautauqua Avenue, protestant
3. Mr. Jay Thompson, 215 North Flood Avenue, proponent
4. Ms. Rebecca Norris, 1017 Missouri Street, made comments
5. Ms. Sylvia Martin, Post Office Box 430, made comments
6. Mr. Ben Alpers, 208 Chautauqua Avenue, protestant
7. Ms. Jeanette Coker, 620 East Main Street, asked questions
8. Mr. Bryan Jackson, 1222 Windsor Way, asked questions
9. Mr. Jared Norris, 1017 Missouri Street, made comments
10. Ms. Carolyn Stager, Executive Director of Oklahoma Municipal League
11. Ms. Diane Pedicord, General Counselor, Oklahoma Municipal League
12. State Representative Aaron Stiles, 3901 113th Avenue N.E., made comments
13. Ms. Ginger Hall, 2700 24th Avenue N.E., proponent
14. Mr. Matthew Jordan, 6909 Greenway Drive, Oklahoma City, proponent
15. Ms. Lisa Schmidt, 1330 Salsbury Street, protestant
16. Mr. Steve Lucas, 804 Fairway Drive, made comments

Thereupon, Councilmember Dillingham moved that Resolution No. R-1112-08 be postponed until August 9, 2011, and referred to the Finance Committee, which motion was duly seconded by Councilmember Griffith;

Participants in discussion

1. Mr. Ben Alpers, 208 Chautauqua Avenue, proponent
2. Mr. Steve Lucas, 804 Fairway Drive, protestant
3. Ms. Lisa Schmidt, 1330 Salsbury Street, proponent
4. Mr. Will Weir, 1426 Beverly Hills Street, protestant
5. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
6. Mr. Shawn O'Leary, Director of Public Works
7. Mr. Jay Thompson, 215 North Flood Avenue, proponent
8. Ms. Julie Knutson, 1003 Nottingham Circle, proponent
9. Mr. Charles Schindler, 2000 Morgan Drive, made comments
10. Ms. Carolyn Stager, Executive Director of Oklahoma Municipal League
11. Ms. Brenda Hall, City Clerk

and the question being upon postponing Resolution No. R-1112-08 until August 9, 2011, and upon the subsequent referral, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Griffith, Mayor Pro Tem Quinn

NAYES: Councilmembers Ezzell, Gallagher, Kovach, Lockett, and Spaulding

The Mayor Pro Tem declared the motion failed and Resolution No. R-1112-08 was not postponed until August 9, 2011, and referred to the Finance Committee.

Item 28, continued:

and the question being upon adopting Resolution No. R-1112-08, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Kovach, Lockett, and Spaulding
NAYES:	Councilmembers Dillingham, Griffith, Mayor Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-08 was adopted.

* * * * *

Item 27, being:

ELECTION OF A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE OKLAHOMA MUNICIPAL LEAGUE (OML) BOARD OF DIRECTORS.

Item 27 was withdrawn from the agenda. The Mayor Pro Tem declared the item moot with adoption of Resolution No. R-1112-08 in the preceding item, which removed funds from the budget to be used to pay membership dues to OML.

* * * * *

Item 29, being:

RESOLUTION NO. R-1112-09: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A POLICY OF OPEN MEETINGS AND RECORDS.

Councilmember Kovach moved that Resolution No. R-1112-09 be adopted, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File R-1112-09 dated July 8, 2011, by Councilmember Kovach
2. Memorandum dated July 8, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
3. Resolution No. R-1112-09

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Mr. Jeff Bryant, City Attorney
3. Mr. Ben Alpers, 208 Chautauqua Avenue, made comments
4. Mr. Harold Heiple, 218 East Eufaula Avenue, made comments

Thereupon, Councilmember Ezzell moved that Resolution No. R-1112-09 be amended to strike Section 6; which motion was duly seconded by Councilmember Dillingham; and the question being upon amending Resolution No. R-1112-09 to strike Section 6, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro Tem Quinn
NAYES:	None

The Mayor Pro Tem declared the motion and Resolution R-1112-09 was amended to strike Section 6.

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Item 29, continued:

and the question being upon adopting Resolution No. R-1112-09, as amended, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro-Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-09, as amended, was adopted.

* * * * *

Item 30, being:

RESOLUTION NO. R-1112-10: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLARIFYING COUNCIL APPROVAL OF COMMITTEE MEMBERS.

Councilmember Kovach moved that Resolution No. R-1112-10 be adopted, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File R-1112-10 dated July 8, 2011, by Councilmember Kovach
2. Memorandum dated July 8, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
3. Resolution No. R-1112-10

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Resolution No. R-1112-10, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Pro-Tem Quinn
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-10 was adopted.

* * * * *

Item 31, being:

RESOLUTION NO. R-1112-11: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A POLICY FOR COUNCILMEMBERS TO PLACE ITEMS ON THE AGENDA.

Councilmember Kovach moved that Resolution No. R-1112-11 be adopted, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File R-1112-11 dated July 8, 2011, by Councilmember Kovach
2. Memorandum dated July 8, 2011, from Steve Lewis, City Manager, to Mayor and Councilmembers
3. Resolution No. R-1112-11

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Ezzell moved that Section 5 of Resolution No. R-1112-11 be amended to read as follows:

Item 31, being:

- § 5. That the City Manager shall be required to place items of policy and budget on the Agenda of City Council Meetings when three (3) Councilmembers ~~or more~~ Councilmembers request it.

which motion was duly seconded by Councilmember Gallagher;

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula Avenue, made comments

and the question being upon amending Section 5 of Resolution No. R-1112-11 as stated above, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Kovach,
Lockett, and Spaulding

NAYES: Councilmembers Dillingham, Griffith, Mayor
Pro Tem Quinn

The Mayor Pro Tem declared the motion and Section 5 of Resolution R-1112-11 was amended as stated above.

and the question being upon adopting Resolution No. R-1112-11, as amended, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Kovach,
Lockett, and Spaulding

NAYES: Councilmembers Dillingham, Griffith, Mayor
Pro Tem Quinn

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-11, as amended, was adopted.

MISCELLANEOUS DISCUSSION

Trash on Highway 9. Mr. Harold Heiple, 218 East Eufaula Avenue, on behalf of the Norman Developers' Council, submitted a proposed resolution to adopt a policy for participation in the drafting of new ordinances by representatives of groups that will be directly affected. He requested that this be placed on the agenda for Council's consideration. He said the attached draft resolution needs to be studied to identify what language should be included. He said the it was hoped that approving this resolution would allow ordinances to move along with participation by the public while receiving unanimous support of Council.

Items submitted for the record

1. Letter dated July 12, 2011, from Harold Heiple, Heiple Law Offices, Inc., to Norman City Councilmembers and City Manager with attached draft resolution

Councilmember Dillingham asked that Mr. Heiple's letter be referred to the appropriate committee for discussion.

Mayor Pro Tem Quinn said it would be forwarded.

*

Shop Norman. Mr. Bobby Stevens, 3801 108th Avenue S.E., said "Shop Norman".

Mayor Pro Tem Quinn also encouraged citizens to "Shop Norman."

*

Sign at Alameda and Classen. Mr. Bobby Stevens, 3801 108th Avenue S.E., reminded staff that the Norman Regional Hospital sign located at Alameda Street and Classen Boulevard was not visible because the trees blocking the sign needed to be trimmed. He said a picture of this could be viewed on Facebook under "Norman Sentinel".

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Miscellaneous Discussion, continued:

University North Park. Mr. Jim Stanley, 3922 Pine Tree Circle, said many of the retail shops at University North Park are now offices, which reduces the sales tax. He said he was concerned that the project would not succeed.

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Agenda Process. Mr. Ben Alpers, 208 Chautauqua Avenue, said the issues with tonight's agenda items were created because items were added to the agenda at the last minute not allowing Council or citizens to review the items. He said Council did approve an easier process to place things on the agenda. He said an open and transparent Council was a very good thing but the way things had been done this evening should stop.

Councilmember Kovach said he agreed with Mr. Alpers that the process tonight had not been done in the best way and it is said that it had to be done this way. He said several of these issues have been on the back burner for years even though there was support. He said he wanted to have open government and everyone to have a voice. He said it was important with issues coming before Council, that there is trust and participation of the citizens. He said this was not a pleasant meeting but the accomplishments were important. He said one of the greatest things about our City Council is that there are arguments and some disagree passionately and after the meeting Council is amicable. He commended Councilmember Dillingham because she came to the meeting on her birthday after extensive dental work and a fall. He said she had provided valuable input and he appreciated her.

Councilmember Spaulding also commended Councilmember Dillingham for coming tonight. He thanked the citizens for staying the evening so late and asked them to encourage their friends and families to take an interest in their local government.

Mayor Pro Tem Quinn said a resolution had been adopted this evening allowing three members of Council to bring items forward on the agenda and this is a very good thing. He said tonight's meeting proved that policy and procedures should be followed for any item placed on the agenda. He said the meeting was very long due to debate and negative statements because there was not enough information given to Council or the citizens.

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Welcome to New Police Chief. Mr. Steve Lucas, 804 Fairway Drive, welcomed the new Police Chief, Keith Humphrey.

Councilmember Kovach welcomed Chief Humphrey to Norman and reassured him that not all meetings were this exciting.

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Thanks to Ward Seven Constituents. Councilmember Lockett thanked those who had called her for information and said she hoped to continue to get calls from them.

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Water Conservation. Mr. Steve Lewis, City Manager, said the City started water conservation efforts today and there had also been thunderstorms. He said the City pumped 22.9 million gallons of water yesterday, which is the most that has been pumped since August, 2008. He encouraged interested citizens to go to the website or Channel 20 to get information about the Water Rationing Program currently underway. He said Staff is in the process of educating residents about the changes.

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Storm Debris Pickup. Mr. Steve Lewis, City Manager, said Staff and the contractor had completed debris pickup from the storm event on June 14, 2011. He commended TFR Enterprises, the contractor hired to help with the cleanup. He said approximately 6,000 cubic yards of vegetative and construction and demolition debris had been picked up. He said Monday, July 18, 2011, crews will start chipping and grinding the debris to be hauled away to a local farm. He said the cost for TFR Enterprises was approximately \$210,000, which is equal to 17.5% of reserve funds.

Mayor Pro Tem Quinn thanked staff for all the work they had put into this effort.

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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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Spaulding, Mayor Pro-Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and the meeting was adjourned at 11:48 p.m.

ATTEST:



City Clerk



Mayor

