

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

October 11, 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 11th day of October, 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 Ezzell, Gallagher,  
Griffith, Kovach, Lockett, Spaulding,  
Mayor Pro Tem Quinn

ABSENT: Councilmember Dillingham and Mayor  
Rosenthal

The Pledge of Allegiance was led by students from Madison Elementary School.

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Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS MINUTES OF SEPTEMBER 15, 2011  
CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 17/SEPTEMBER 20, 2011  
CITY COUNCIL STUDY SESSION MINUTES OF SEPTEMBER 20, 2011  
CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 21, 2011  
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF SEPTEMBER 22, 2011  
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 27, 2011  
CITY COUNCIL MINUTES OF SEPTEMBER 27, 2011  
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 27, 2011  
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 27, 2011  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 27, 2011

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

Items submitted for the record

1. Text File No. GID-1112-23 dated September 27, 2011, by Brenda Hall, City Clerk
2. City Council Business and Community Affairs minutes of September 15, 2011
3. City Council Special Session minutes of September 17/September 20, 2011
4. City Council Study Session minutes of September 20, 2011
5. City Council Finance Committee minutes of September 21, 2011
6. City Council Community Planning and Transportation Committee minutes of September 22, 2011
7. City Council Conference minutes of September 27, 2011
8. City Council minutes of September 27, 2011
9. Norman Utilities Authority minutes of September 27, 2011
10. Norman Municipal Authority minutes of September 27, 2011
11. Norman Tax Increment Finance Authority minutes of September 27, 2011

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

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

NAYES: None

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

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Item 4, being:

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

Mayor Pro Tem Quinn and Councilmember Lockett presented Citizenship Awards to students Tanner Bradley, Yannick Davidson, Patrick Hart, Nate Holladay, Lexi Kincaid, Kylee Liles, Alissa Mesquita, Ali Pervaiz, Yujeong Son, Lyric Wall-Kuhn, and Charlese Wollman. Ms. Pam Charlson, Principal of Madison Elementary School, introduced Fifth Grade Teacher, Ms. Zuleyka Flores, who said the students were selected as representatives of good citizens of Madison Elementary School.

Items submitted for the record

- 1. Text File No. GID-1112-25 dated October 4, 2011, by Carol Coles, Administrative Assistant

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Item 5, being:

PROCLAMATION NO. P-1112-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, OCTOBER 20, 2011, AS LIGHTS ON AFTERSCHOOL DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-7 proclaiming Thursday, October 20, 2011, as Lights on Afterschool Day in the City of Norman be acknowledged, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. P-1112-7 dated October 4, 2011, by Brenda Hall, City Clerk
- 2. Proclamation No. P-1112-7

Participants in discussion

- 1. Ms. Diane Murphree, United Way Community Impact Director, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-7 proclaiming Thursday, October 20, 2011, as Lights on Afterschool Day in the City of Norman, a vote was taken with the following result:

YEAS:	Councilmembers 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 receipt of Proclamation No. P-1112-7 proclaiming Thursday, October 20, 2011, as Lights on Afterschool Day in the City of Norman.

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Item 6, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 7 through Item 34 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 7 through Item 34, a vote was taken with the following result:

YEAS:	Councilmembers 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 Item 7 through Item 34 were placed on the consent docket by unanimous vote.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1112-2 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 LOT 1, BLOCK 2, TEALL ADDITION, SECTION 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF HARRIET ROAD AND 24TH AVENUE N.W.)

Councilmember Kovach moved that Ordinance No. O-1112-2 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-1112-2 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-2 with Exhibit A, site development plans
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Southern Plains Treatment Services statement
6. Norman Predevelopment Summary Case No. PD11-18 dated May 26, 2011, for Southern Plains Treatment Center for property located at the northeast corner of 24th Avenue N.W. and Harriet Road
7. Pertinent excerpts from Planning Commission minutes of September 8, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1112-2 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-2 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1112-11 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 GRANT SPECIAL USE FOR A TYPE I BED AND BREAKFAST IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3100 26TH AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-1112-11 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-1112-11 dated August 15, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-11 with Exhibit A, site plan
3. Location map
4. Staff Report dated September 8, 2011, recommending approval
5. Statement describing the Nature and Operating Characteristics of our Proposed Bed and Breakfast
6. Norman Predevelopment Summary Case No. PD11-20 dated July 28, 2011, for Thomas and Lisa Hunter for property located at 3100 26th Avenue N.E.
7. Pertinent excerpts from Planning Commission minutes of September 8, 2011

Item 8, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1112-11 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-11 was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST, 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-1112-10 dated September 12, 2011, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of August, 2011

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

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

NAYES: None

The Mayor Pro Tem declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 10, being:

SUBMISSION OF A REVISED FINAL REPORT FROM THE ENFORCEMENT AUTHORITY FOR THE 2011 CITY COUNCIL ELECTION CYCLE.

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-1112-1 dated May 23, 2011, by Brenda Hall, City Clerk
2. Revised Norman Enforcement Authority Report dated August 30, 2011
3. Enforcement Authority minutes of August 29, 2011
4. Pertinent excerpts from City Council minutes of July 26, 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 Ezzell, Gallagher,  
Griffith, Kovach, Lockett, Spaulding,  
Mayor Pro Tem Quinn

NAYES: None

The Mayor Pro Tem declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 11, being:

CONSIDERATION OF AWARDING OF BID NO. 1112-22 AND APPROVAL OF CONTRACT NO. K-1112-42 WITH SHELL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$582,262; PERFORMANCE BOND NO. B-1112-3; STATUTORY BOND NO. B-1112-4, MAINTENANCE BOND NO. MB-1112-6; AND RESOLUTION NO. R-1112-27 FOR THE 2010 ROAD RECONSTRUCTION BOND PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$582,262 be awarded to Shell Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-42 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1112-27 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-42 dated August 30, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 8, 2011, for the Urban Road Reconstruction 2010 Bond Projects, all FYE 2011 and one (1) FYE 2012 Project Bond Location
3. Contract No. K-1112-42
4. Performance Bond No. B-1112-3
5. Statutory Bond No. B-1112-4
6. Maintenance Bond No. MB-1112-6
7. Resolution No. R-1112-27
8. Purchase Requisition No., 0000191523 dated September 13, 2011, in the amount of \$582,262 to Shell Construction Company, Inc.

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

YEAS:	Councilmembers 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 \$582,262 was awarded to Shell Construction Company, Inc. as the lowest and best bidder meeting specifications; Contract No. K-1112-42 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1112-27 was adopted.

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Item 12, being:

CONSIDERATION OF BID NO. 1112-23, CONTRACT NO. K-1112-48 WITH CIMARRON CONSTRUCTION COMPANY IN THE AMOUNT OF \$179,440; PERFORMANCE BOND NO. B-1112-5; STATUTORY BOND NO. B-1112-6; MAINTENANCE BOND NO. MB-1112-8; AND RESOLUTION NO. R-1112-41 FOR THE FYE 2010 DRAINAGE PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$179,440 be awarded to Cimarron Construction Company as the lowest and best bidder meeting specifications; Contract No. K-1112-48 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1112-41 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-48 dated September 26, 2011, by Greg Hall, Street Superintendent
2. Bid tabulation for the FYE 2010 Drainage Projects
3. Location maps
4. Contract No. K-1112-48
5. Performance Bond No. B-1112-5
6. Statutory Bond No. B-1112-6
7. Maintenance Bond No. MB-1112-8
8. Resolution No. R-1112-41
9. Purchase Requisition No. 0000191653 dated September 14, 2011, in the amount of \$179,440 to Cimarron Construction Company

Item 12, continued:

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

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

YEAS: Councilmembers 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 \$179,440 was awarded to Cimarron Construction Company as the lowest and best bidder meeting specifications; Contract No. K-1112-48 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1112-41 was adopted.

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Item No. 13

CONSIDERATION OF BID NO. 1112-24; CONTRACT NO. K-1112-49 WITH ALVA ROOFING COMPANY IN THE AMOUNT OF \$514,998; PERFORMANCE BOND NO. B-1112-7; STATUTORY BOND NO. B-1112-8; MAINTENANCE BOND NO. MB-1112-9; AND RESOLUTION NO. R-1112-49 FOR THE ROOF REPLACEMENT PROJECT FOR FIRE STATION NO. FIVE/LITTLE AXE RECREATION CENTER, 12TH AVENUE RECREATION CENTER, AND WHITTIER RECREATION CENTER.

Councilmember Kovach moved that all bids meeting specifications be accepted; the base bid in the amount of \$483,739 plus Alternate E in the amount of \$31,259 for a total bid amount of \$514,998 be awarded to Alva Roofing Company as the lowest and best bidder meeting specifications; Contract No. K-1112-49 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1112-49 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-49 dated October 3, 2011, by Matthew Smith, Facility Maintenance Superintendent
2. Bid tabulation dated September 29, 2011, for the Fire Station No. Five/Little Axe Recreation Center, 12th Avenue Recreation Center, and Whittier Recreation Center Roof Replacement Project
3. Contract No. K-1112-49
4. Performance Bond No. B-1112-7
5. Statutory Bond No. B-1112-8
6. Maintenance Bond No. MB-1112-9
7. Resolution No. R-1112-49
8. Purchase Requisition No., 0000192536 dated October 5, 2011, in the amount of \$514,998 to Alva Roofing Company

Participants in discussion

1. Mr. Steve Lewis, City Manager

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

YEAS: Councilmembers 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 base bid in the amount of \$483,739 plus Alternate E in the amount of \$31,259 for a total bid amount of \$514,998 was awarded to Alva Roofing Company as the lowest and best bidder meeting specifications; Contract No. K-1112-49 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1112-49 was adopted.

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Item 14, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF TEN (10) EIGHT-INCH WATER METERING ASSEMBLIES FROM BADGER METER, INC., IN THE AMOUNT OF \$88,144.80 FOR THE WATER LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority, Trustee Kovach moved that authorization for the purchase of ten (10) eight-inch water metering assemblies in the amount of \$8,814.48 each for a total of \$88,144.80 from Badger Meter, Inc., for the Water Line Maintenance Division be approved, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. GID-1112-19 dated September 13, 2011, by David Hager, Utilities Superintendent
2. Quotation No. 38708 effective September 2, 2011, through February 29, 2012, from Daryl W. Gibson, National Account Manager West, Badger Meter, to Fred Fitzgerald, City of Norman
3. Technical Brief for 8-inch Model FSAA-01, Fire Series Meter Assembly with Strainer, Turbine Meter, Check Valve, and Disc By-Pass Meter
4. Purchase Requisition No. 0000191585 dated September 14, 2011, in the amount of \$88,144.80 to Badger Meter, Inc.

and the question being upon approving authorization for the purchase of ten (10) eight-inch water metering assemblies in the amount of \$8,814.48 each for a total of \$88,144.80 from Badger Meter, Inc., for the Water Line Maintenance Division, a vote was taken with the following result:

YEAS: Trustees Ezzell, Gallagher, Griffith,  
Kovach, Lockett, Spaulding, Vice  
Chairman Quinn

NAYES: None

The Vice Chairman declared the motion carried and authorization for the purchase of ten (10) eight-inch water metering assemblies in the amount of \$8,814.48 each for a total of \$88,144.80 from Badger Meter, Inc., for the Water Line Maintenance Division was approved.

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Item 15, being

CONSIDERATION OF THE DECLARATION OF EQUIPMENT AT THE WASTEWATER TREATMENT PLANT AS SURPLUS AND/OR OBSOLETE AND AUTHORIZATION OF THE SALE THEREOF.

Acting as the Norman Municipal Authority, Trustee Kovach moved that the equipment at the Wastewater Treatment Plant be declared to be surplus and/or obsolete and the sale thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. GID-1112-24 dated September 28, 2011, by Steve Hardeman, Utilities Superintendent
2. Surplus or Obsolete Equipment at Wastewater Treatment Plant dated September 19, 2011

and the question being upon declaring the equipment at the Wastewater Treatment Plant to be surplus and/or obsolete and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Ezzell, Gallagher, Griffith,  
Kovach, Lockett, Spaulding, Vice  
Chairman Quinn

NAYES: None

The Vice Chairman declared the motion carried and the equipment at the Wastewater Treatment Plant declared to be surplus and/or obsolete; and the sale thereof was authorized.

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Item 16, being:

PARTIAL RELEASE OF EASEMENT GRANTED TO PSC LAND, L.L.C., IN THE AMOUNT OF \$5,000 ORIGINALLY INCLUDED IN CONTRACT NO. K-9798-53 WITH KOCH INDUSTRIES, INC., IN CONNECTION WITH THE TECUMSEH ROAD WIDENING PROJECT, PHASE I, 36TH AVENUE WIDENING.

Councilmember Kovach moved that a partial release of easement to PSC Land, L.L.C., in the amount of \$5,000 be approved and the execution and filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-26 dated October 6, 2011, by Blaine Nice, Assistant City Attorney
2. Release of Easement
3. Contract No. K-9798-53 with Exhibit A, Partially Assigned Easements, and Exhibit B, Approximate Location of Pipeline
4. Location map

and the question being upon approving a partial release of easement to PSC Land, L.L.C., in the amount of \$5,000 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and a partial release of easement to PSC Land, L.L.C., in the amount of \$5,000 approved; and the execution and filing thereof were directed.

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Item 17, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-2 FOR LOT 3, ARMS ACRES, AND A VARIANCE IN THE 400-FOOT BUILDING SETBACK TO 200-FOOT BUILDING SETBACK (LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD APPROXIMATELY ONE-FOURTH MILE WEST OF PORTER AVENUE)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1112-2 and a variance in the 400-foot building setback to 200-foot building setback be approved 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. COS-1112-2 dated August 15, 2011, by Ken Danner, Development Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1112-2
4. Staff Report dated September 8, 2011, recommending approval
5. Letter requesting variance dated August 26, 2011, from Todd D'Amico as Agent for the Cantrell Family, Property Owners, to Ken Danner, City of Norman
6. Greenbelt Commission Comments
7. Norman Rural Certificate of Survey No. COS-0506-3 filed November 23, 2005
8. Pertinent excerpts from Planning Commission minutes of September 8, 2011

and the question being upon approving Norman Rural Certificate of Survey No COS-1112-2 and a variance in the 400-foot building setback to 200-foot building setback and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and Norman Rural Certificate of Survey No. COS-1112-2 and a variance in the 400-foot building setback to 200-foot building setback approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 18, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK ADDITION, SECTION VII, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 250 FEET EAST OF 24TH AVENUE N.W. ON THE SOUTH SIDE OF CONFERENCE DRIVE)

Councilmember Kovach moved that the final site development plan and final plat for University North Park Addition, Section VII, a Planned Unit Development, be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1112-3 dated August 15, 2011, by Ken Danner, Development Manager
2. Location map
3. Staff Report dated September 8, 2011, recommending approval
4. Final plat
5. Final site development plan
6. Landscape plan
7. Revised preliminary plat
8. Pertinent excerpts from Planning Commission minutes of September 8, 2011

and the question being upon approving the final site development plan and final plat for University North Park Addition, Section VII, a Planned Unit Development, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and the final site development plan and final plat for University North Park Addition, Section VII, a Planned Unit Development, 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 site development plan and final plat were directed.

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Item 19, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$8,775 FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE BULLETPROOF VESTS AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of \$8,775 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests be accepted; Project No. GP0020, Homeland Security, FBI, Other Revenue/Bullet Proof Vest Grant (022-0000-331.13-23) be increased by \$8,775; and \$8,775 be appropriated to Uniform and Clothing/Safety and Protective (022-6032-421.35-02), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-21 dated September 23, 2011, by Jim Spearman, Grants Coordinator
2. Request Payment Results

Item 19, continued:

and the question being upon accepting a grant in the amount of \$8,775 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests and upon the subsequent increase and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and a grant in the amount of \$8,775 from the United States Department of Justice/Bureau of Justice Assistance to be used by the Police Department to purchase bulletproof vests accepted; Project No. GP0020, Homeland Security, FBI, Other Revenue/Bullet Proof Vest Grant (022-0000-331.13-23) was increased by \$8,775 and \$8,775 was appropriated to Uniform and Clothing/Safety and Protective (022-6032-421.35-02).

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Item 20, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1011-2: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$63,150 AND ADDING 30 CALENDAR DAYS FOR THE FYE 2009 SEWER MAINTENANCE PROJECT, PHASE 2.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. Two to Contract No. K-1011-2 with Urban Contractors, L.L.C., increasing the contract amount by \$63,150 and adding 30 calendar days 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-1011-2, Change Order No. Two, dated September 26, 2011, by Charlie Thomas, Capital Projects Engineer
2. Change Order No. Two to Contract No. K-1011-2
3. Purchase Order No. 190050 dated August 5, 2010, in the amount of \$1,570,100 adding Change Order No. One in the amount of \$69,250 and Change Order No. Two in the amount of \$63,150 for an amended contract amount of \$1,702,500

and the question being upon approving Change Order No. Two to Contract No. K-1011-2 with Urban Contractors, L.L.C., increasing the contract amount by \$63,150 and adding 30 calendar days and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Ezzell, Gallagher, Griffith,  
Kovach, Lockett, Spaulding, Vice  
Chairman Quinn

NAYES: None

The Vice Chairman declared the motion carried and Change Order No. Two to Contract No. K-1011-2 with Urban Contractors, L.L.C., increasing the contract amount by \$63,150 and adding 30 calendar days approved; and the execution thereof was authorized.

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Item 17, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1011-131 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN UTILITIES AUTHORITY, AND STANDARD ROOFING COMPANY, INC., FOR THE ROOF REPLACEMENT PROJECT FOR THE SENIOR CITIZEN CENTER, FIRE STATION NO. FOUR, NORTH AND SOUTH DIGESTER CONTROL BUILDINGS AT THE WASTEWATER TREATMENT PLANT, AND THE WESTWOOD MAINTENANCE, IRRIGATION PUMP, AND POOL FACILITIES.

Acting as the City Council and the Norman Utilities Authority, Councilmember Kovach moved that the project be accepted and final payment in the amount of \$188,349 be directed to Standard Roofing Company, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-131, Final, dated September 27, 2011, by Matthew Smith, Facility Maintenance Superintendent
2. Photographs of Fire Station No. 4; Senior Center; Westwood Maintenance; Westwood Pool; and Wastewater Treatment Plant Digester buildings before and after roof replacement
3. Purchase Order No. 199875 dated April 1, 2011, in the amount of \$380,694 adding Change Order No. One in the amount of \$16,153 and subtracting partial payments totaling \$278,498 leaving a balance of \$118,349

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

YEAS:	Councilmembers 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 project accepted; and final payment in the amount of \$188,349 be directed to Standard Roofing Company, Inc.

\* \* \* \* \*

Item 22, being:

CONTRACT NO. K-1112-44: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND THE MCKINNEY PARTNERSHIP ARCHITECTS, P.C. IN AN AMOUNT NOT-TO-EXCEED \$27,000 FOR THE DESIGN, PREPARATION OF CONSTRUCTION DOCUMENTS, BIDDING AND CONSTRUCTION ADMINISTRATION FOR PHASES I THROUGH 5 OF THE SPACE UTILIZATION PROJECT FOR MUNICIPAL BUILDING A.

Councilmember Kovach moved that Contract No. K-1112-44 with the McKinney Partnership, P.C., in an amount not-to-exceed \$27,000 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-1112-44 dated August 12, 2011, by Shawn O'Leary, Director of Public Works
2. Contract No. K-1112-44 with Exhibit A, Phasing Plan, and Attachment B, Billing Rates
3. Existing Floor Plan for Building A
4. Project cost estimate of Phases 1 through 5 in the amount of \$207,818.75 and Phases 6 through 9 in the amount of \$77,847.33 for a total cost estimate of \$285,66.08
5. Purchase Requisition No. 0000190447 dated August 16, 2011, in the amount of \$27,000 to the McKinney Partnership Architects

Item 22, continued:

and the question being upon approving Contract No. K-1112-44 with the McKinney Partnership, P.C., in an amount not-to-exceed \$27,000 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

The Mayor Pro Tem declared the motion carried and Contract No K-1112-44 with the McKinney Partnership, P.C., in an amount not-to-exceed \$27,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 23, being:

CONTRACT NO. K-1112-46: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA TO PROVIDE SOLID WASTE DISPOSAL SERVICES FOR THE UNIVERSITY OF OKLAHOMA THROUGH JUNE 30, 2014.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Contract No. K-1112-46 with the Board of Regents of the University of Oklahoma through June 30, 2014, 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-1112-46 dated September 22, 2011, by Scottie Williams, Sanitation Superintendent
2. Contract No. K-1112-46

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities

and the question being upon approving Contract No. K-1112-46 with the Board of Regents of the University of Oklahoma through June 30, 2014, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Ezzell, Gallagher, Griffith, Kovach, Lockett, Spaulding, Vice- Chairman Quinn
NAYES:	None

The Vice Chairman declared the motion carried and Contract No K-1112-46 with the Board of Regents of the University of Oklahoma through June 30, 2014, approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 24, being:

CONTRACT NO. K-1112-54: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND JACKSON & JACKSON ENGINEERING, INC., IN THE AMOUNT OF \$22,000 TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF KENNEDY ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL PROJECT AGREEMENT NO. 1028 WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION.

Councilmember Kovach moved that Contract No. K-1112-54 with Jackson and Jackson Engineering, Inc., in the amount of \$22,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Item 24, continued:

Items submitted for the record

1. Text File No. K-1112-54 dated September 26, 2011, by Mike Rayburn, Assistant Traffic Engineer
2. Contract No. K-1112-54 with Exhibit A, Engineer's Services; Exhibit B, Payments to Engineer for Services; Exhibit C, Standard Hourly Rates Schedule; Exhibit D, Notice of Acceptability of Work; Exhibit E, Amendment to Owner-Engineer Agreement; and Exhibit F, Insurance
3. Purchase Requisition No. 0000192052 dated September 23, 2011, in the amount of \$22,000 to Jackson and Jackson Engineering, Inc.

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon approving Contract No. K-1112-54 with Jackson and Jackson Engineering, Inc., in the amount of \$22,000 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

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-54 with Jackson and Jackson Engineering, Inc., in the amount of \$22,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 25, being:

CONTRACT NO. K-1112-58: A RIGHT-OF-WAY, PUBLIC UTILITY, AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. STP-114B(278)AG, STATE JOB NO. 27795(04) FOR THE WEST MAIN STREET ROADWAY LIGHTING SYSTEM UPGRADE PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-40.

Councilmember Kovach moved that Contract No. K-1112-58 with the Oklahoma Department of Transportation be approved, Resolution No. R-1112-40 be adopted, and execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-58 dated September 26, 2011, by Angelo Lombardo, Traffic Engineer
2. Contract No. K-1112-58
3. Resolution No. R-1112-40
4. Location map

and the question being upon approving Contract No. K-1112-58 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and Contract No K-1112-58 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-40 was adopted and execution of the contract and resolution was authorized.

\* \* \* \* \*

Item 26, being:

CONTRACT NO. K-1112-60: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AMERISAVE MORTGAGE CORPORATION TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE HOME PARTNERSHIP PROGRAM FOR PROPERTY LOCATED AT 3312 WOODSBORO DRIVE.

Councilmember Kovach moved that Contract No. K-1112-60 with AmeriSave Mortgage 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-1112-60 dated September 22, 2011, by Linda Price, Revitalization Manger
2. Contract No. K-1112-60

and the question being upon approving Contract No. K-1112-60 with AmeriSave Mortgage Corporation 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

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-60 with AmeriSave Mortgage Corporation approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 27, being:

CONTRACT NO. K-1112-61: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN PUBLIC SCHOOLS FOR PROPERTY AT MONROE ELEMENTARY SCHOOL LOCATED AT 1601 SOUTH MCGEE DRIVE TO BE USED AS A NEIGHBORHOOD PARK.

Councilmember Kovach moved that Contract No. K-1112-61 with Norman Public Schools 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-1112-61 dated September 23, 2011, by Jud Foster, Director of Parks and Recreation
2. Contract No. K-1112-61 with Exhibit "A", Legal Description, and Exhibit "B", Proposed Park Site
3. Location map

and the question being upon approving Contract No. K-1112-61 with Norman Public Schools 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

The Mayor Pro Tem declared the motion carried and Contract No. K-1112-61 with Norman Public Schools approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 28, being:

A FINANCING AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND FIRST AMERICAN BANK TO PROVIDE ALTERNATIVE FUNDING FOR THE PURCHASE OF PROPERTY AT 101, 113, 115, 116, AND 118 WEST GRAY STREET.

Acting as the City Council and the Norman Municipal Authority, Councilmember Kovach moved that the waiver of competitive bidding be approved and the debt in the amount of \$750,000 be authorized with First American Bank as lender and City Staff be authorized to execute appropriate documents to effectuate the loan, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. K-1112-63 dated October 5, 2011, by Anthony Francisco, Director of Finance

and the question being upon approving the waiver of competitive bidding and upon the subsequent authorizations, a vote was taken with the following result:

YEAS:	Councilmembers 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 waiver of competitive bidding approved; the debt in the amount of \$750,000 was authorized with First American Bank as lender and City Staff was authorized to execute appropriate documents to effectuate the loan.

\* \* \* \* \*

Item 29, being:

RESOLUTION NO. R-1112-43: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING \$3,385 FROM THE GENERAL FUND BALANCE TO REIMBURSE COSTS ENCUMBERED BY THE HUMAN RESOURCES DEPARTMENT FOR WRITTEN EXAMINATIONS ADMINISTERED TO FIREFIGHTER APPLICANTS WITH FEES COLLECTED FROM APPLICANTS.

Councilmember Kovach moved that Resolution No. R-1112-43 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. R-1112-43 dated September 19, 2011, by Jackie Crumrine, Training and Development Manager
- 2. Resolution No. R-1112-43

and the question being upon adopting Resolution No. R-1112-43, a vote was taken with the following result:

YEAS:	Councilmembers 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-1112-43 was adopted.

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Item 30, being:

RESOLUTION NO. R-1112-44: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF A CLAIM FILED BY KODY KEITH UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF KODY KEITH V. THE CITY OF NORMAN, WORKERS COMPENSATION CASE NO. WCC-2010-02727R; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1112-44 be adopted and payment of claims in the amount of \$37,500 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. R-1112-44 dated September 22, 2011, by Blaine Nice, Assistant City Attorney
2. Resolution No. R-1112-44
3. Purchase Requisition No. 0000191969 dated September 21, 2011, in the amount of \$37,500 to Kody Keith and Douglas S. Wall
4. Purchase Requisition No. 0000191970 dated September 21, 2011, in the amount of \$750 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000191975 dated September 21, 2011, in the amount of \$281.25 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000191976 dated September 21, 2011, in the amount of \$140 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000191977 dated September 21, 2011, in the amount of \$118 to Cleveland County District Court Clerk

Participants in discussion

1. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Resolution No. R-1112-44 and upon the subsequent directive, a vote was taken with the following result:

YEAS:

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

NAYES:

None

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-44 adopted; and payment of claims in the amount of \$37,500 which will constitute judgment against the City of Norman was directed.

\* \* \* \* \*

Item 31, being:

RESOLUTION NO. R-1112-45: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,328.73 FROM THE GENERAL FUND BALANCE AND \$16,485.57 FROM THE RISK MANAGEMENT FUND BALANCE TO PURCHASE TWO (2) TRAFFIC SIGNAL CONTROLLER CABINETS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that Resolution No. R-1112-45 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-45 dated September 26, 2011, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1112-45

Item 31, continued:

and the question being upon adopting Resolution No. R-1112-45, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-45 was adopted.

\* \* \* \* \*

Item 32, being:

RESOLUTION NO. R-1112-46: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING \$20,000 FROM THE ROOM TAX FUND BALANCE TO BE USED BY THE NORMAN CONVENTION AND VISITOR'S BUREAU, INC., TO DEVELOP A NEW MOBILE SITE.

Councilmember Kovach moved that Resolution No. R-1112-46 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-46 dated September 29, 2011, by Suzanne Krohmer, Budget Manager
2. Resolution No. R-1112-46
3. Memorandum dated September 19, 2011, from Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau, to Steve Lewis, City Manager, and Anthony Francisco, Finance Director

Participants in discussion

1. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau

and the question being upon adopting Resolution No. R-1112-46, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-46 was adopted.

\* \* \* \* \*

Item 33, being:

RESOLUTION NO. R-1112-47: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$50,622 FROM THE CAPITAL LIABILITY AND SITE IMPROVEMENT ACCOUNT TO PAY THE OKLAHOMA DEPARTMENT OF TRANSPORTATION THE CITY OF NORMAN'S MATCHING SHARE OF THE U.S. HIGHWAY 77 (CLASSEN BOULEVARD) AND IMHOFF ROAD PROJECT AS OUTLINED IN CONTRACT NO. K-1112-16.

Councilmember Kovach moved that Resolution No. R-1112-47 be adopted and payment in the amount of \$93,359.72 be directed to ODOT for the City's share of the costs of the project, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-47 dated September 29, 2011, by John Clink, Capital Projects Engineer, with Attachment "A," Traffic Impact Table Fee
2. Resolution No. R-1112-47
3. Invoice No. 26474(04)-1 dated September 27, 2011, in the amount of \$93,359.72 from ODOT to Angelo Lombardo, City Traffic Engineer
4. Purchase Requisition No. 0000192191 dated September 27, 2011, in the amount of \$93,359.72 to ODOT

Item 33, continued:

and the question being upon adopting Resolution No. R-1112-47 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-47 adopted; and payment in the amount of \$93,359.72 was direct to ODOT for the City's share of the cost of the project.

\* \* \* \* \*

Item 34, being:

RESOLUTION NO. R-1112-48: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$150,711 FROM THE CAPITAL FUND, REIMBURSEMENT/REFUND REVENUE ACCOUNT FOR REIMBURSEMENT OF UTILITY RELOCATION COSTS IN CONNECTION WITH THE 60TH AVENUE N.W. WIDENING IMPROVEMENTS PROJECT.

Councilmember Kovach moved that Resolution No. R-1112-48 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-48 dated September 29, 2011, by Scott Sturtz, Capital Projects Engineer
2. Resolution No. R-1112-48
3. Memorandum dated September 9, 2011, from Scott Sturtz, Capital Projects Engineer, through Shawn O'Leary, Director of Public Works, to Steve Lewis, City Manager
4. Check Nos. 003164 and 084780 totaling \$150,710.80 from the City of Oklahoma City to the City of Norman

and the question being upon adopting Resolution No. R-1112-48, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-48 was adopted.

\* \* \* \* \*

Item 35, being:

UPDATE ON THE PROGRESS MADE AT 304 SOUTH STEWART AVENUE AS REQUESTED BY CITY COUNCIL IN CONNECTION WITH CONDEMNATION OF SAID PROPERTY PER RESOLUTION NO. R-0910-60.

Councilmember Kovach moved to allow the Revitalization Manager to update City Council regarding the progress made at 304 South Stewart Avenue, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. RPT-1011-3 dated July 13, 2010, by Linda Price, Revitalization Manager
2. Photographs of 304 South Stewart Avenue, before and after repairs
3. Pertinent excerpts from City Council minutes of October 27, 2009; January 26 and July 27, 2010; and January 25, 2011

Participants in discussion

1. Ms. Linda Price, Revitalization Manager

Item 35, continued:

and the question being upon allowing the Revitalization Manager to update City Council regarding the progress made at 304 South Stewart Avenue, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the Revitalization Manager was allowed to update City Council regarding the progress made at 304 South Stewart Avenue.

Thereupon, Councilmember Kovach moved that the recommendation from the Revitalization Manager to withdraw Resolution No. R-0910-60 that requested condemnation action on 304 South Stewart Avenue be approved and Staff be authorized to continue to monitor the condition of the property and work with the property owner to complete the necessary repairs, which motion was duly seconded by Councilmember Quinn; and the question being upon approving the recommendation from the Revitalization Manager to withdraw Resolution No. R-0910-60 that requested condemnation action on 304 South Stewart Avenue 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

The Mayor Pro Tem declared the motion carried and the recommendation from the Revitalization Manager to withdraw Resolution No. R-0910-60 that requested condemnation action on 304 South Stewart Avenue approved; and Staff was authorized to continue to monitor the condition of the property and work with the property owner to complete the necessary repairs.

\* \* \* \* \*

Item 36, being:

RESOLUTION NO. R-1112-4: 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-1112-1, SO AS TO PLACE A TRACT OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD AND EAST OF ASTOR DRIVE)

Councilmember Ezzell moved that Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, be postponed until October 25, 2011, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-4 dated June 21, 2011, by Doug Koscinski, Current Planning Manager
2. Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1
3. Location map
4. Staff Report dated July 14, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of August 11, 2011

Participants in discussion

1. Ms. Vicki Hopkins, 3112 Teton Oval, protestant

Item 36, continued:

and the question being upon postponing Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, until October 25, 2011, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1112-4, Land Use Plan Amendment No. LUP-1112-1, was postponed until October 25, 2011.

\* \* \* \* \*

Item 37, being:

ORDINANCE NO. O-1112-1: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO AMEND THE ALLOWABLE USES IN A PORTION OF THE PUD CREATED BY ORDINANCE NO. O-9798-24 IN THE NORTHEAST QUARTER OF SECTION 15 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

Ordinance No. O-1112-1 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 27, 2011, Councilmember Ezzell moved that Ordinance No. O-1112-1 be postponed until October 25, 2011, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. O-1112-1 dated June 21, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-1
3. Location map
4. Staff Report dated July 14, 2011, recommending approval
5. Preliminary Site Development Plan
6. PUD Narrative for Tecumseh Project, L.L.C., dated February 5, 2001, with revision dates of March 1, 2001, and June 13, 2011
7. Protest area map containing 50.4% protest within the notification area
8. Email of protest filed June 27, 2011, from Yumi Davis to Mayor Rosenthal and City Councilmembers
9. Email of protest filed June 27, 2011, from Vicki Hopkins to Mayor Rosenthal and City Councilmembers
10. Email of protest filed June 27, 2011, to Mayor and City Council and letter of protest filed July 11, 2011, to Mayor, City Council, and City Planning Commission from Bonner Slayton, M.Ed., NBCT
11. Email of protest filed June 27, 2011, from Susan Wood to Mayor and Councilmembers
12. Letter of protest filed June 30, 2011, from Erin Williford to City of Norman Planning Commission
13. Letter of protest filed July 1, 2011, from Mary Lynne Cooper to Members of the Norman Planning Commission
14. Letter of protest filed July 5, 2011, from Phillip and Shannon Johnson to Norman City Planning Commission
15. Letter of protest filed July 6, 2011, from Paula J. and Gregory S. Cook to Members of the Norman Planning Commission
16. Letter of protest filed July 6, 2011, from Mark R. and Bethany D. McCoy to Members of the Norman Planning Commission
17. Letter of protest filed July 7, 2011, from Janelle Borden to Norman Planning Commission
18. Letter of protest filed July 7, 2011, from Reverend Thomas J. Boyer, Pastor, St. Mark the Evangelist Catholic Church, to Members of the Norman City Planning Commission
19. Letter of protest filed July 8, 2011, from Robert and Stacy Morey to Members of the Norman Planning Commission
20. Letter of protest filed July 8, 2011, from Gordon Mohon to Planning Commission
21. Letter of protest filed July 8, 2011, from Timothy D. and Cara L. Black to Members of the Norman Planning Commission

Item 37, continued:

Items submitted for the record, continued

22. Letters of protest filed July 8, 2011, from Keith and Crystal Brewster to Members of the Norman Planning Commission with attached map of Undeveloped/Recently-Developed land for Office Space Zoned Office or Commercial (Acres) and filed August 8, 2011, from Keith Brewster with attached Figure 1, Two-Way Traffic Volume Map; Figure 2, Traffic Volumes on West Tecumseh Road; and Table 1, Warranty Deed Transfers to Norman Regional Hospital Authority for the Healthplex
23. Letters of protest filed July 11, 2011, from R. Scott and Paula J. Copeland to Members of the Norman Planning Commission
24. Letter of protest filed July 11, 2011, from Cheryl Conly and Margaret Crawford to Norman Planning Commission
25. Letter of protest filed July 11, 2011, from Alex and Kathryn Chadwick to Norman Planning Commission
26. Letter of protest filed July 11, 2011, from Kris Janis Vermelis, to Norman Planning Commission
27. Letter of protest filed July 11, 2011, from Monte L. and Brenda Stutterheim to Norman Planning Commission with attached objections
28. Letter of protest filed July 11, 2011, from James C. and Brandy M. Reese to Members of the Norman Planning Commission
29. Letter of protest filed July 11, 2011, from Joyce F. and Douglas Harris to Norman Planning Commission
30. Letter of protest filed July 12, 2011, from James Walter Gentry to Norman Planning Commission
31. Letter of protest filed July 21, 2011, from Paul E. and Erica B. Phelps to Members of the Norman Planning Commission
32. Property Owners' Petition in Protest of Application of Cascade Development, L.L.C., for Land Use Plan amendment to Office Designation and proposed rezoning to Commercial Office filed June 27, 2011, containing 213 signatures
33. Property Owners' Petition in Protest of Application of Cascade Development, L.L.C., for Land Use Plan amendment to Office Designation and proposed rezoning to Commercial Office filed July 8, 2011, containing 118 signatures
34. Protest area map dated October 10, 2011, containing 53.6% protest within notification area
35. Letter of protest filed October 5, 2011, from Deanna L. and Paul R. Larson to Norman City Council
36. Letter of protest filed October 5, 2011, from Matthew and Teresa Frazier to Norman City Council
37. Letter of protest filed October 4, 2011, from Chanda Lee to Norman City Council
38. Letter of protest filed October 7, 2011, from Gray g. and Brenda K. Knight
39. Letter of protest filed October 7, 2011, from Chuck Real Property, L.L.C.
40. Email requesting postponement dated October 11, 2011, from Sean Rieger to Brenda Hall, Steve Lewis, Cindy Rosenthal, Shawn O'Leary, Susan Connors, Carol Dillingham, Tom Kovach, Roger Gallagher, Hal Ezzell, Dave Spaulding, Linda Lockett, Dan Quinn, Jim Griffith, and Ellen Usry

Participants in discussion

1. Ms. Vicki Hopkins, 3112 Teton Oval, protestant

and the question being upon postponing Ordinance No. O-1112-1 until October 25, 2011, a vote was taken with the following result:

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

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1112-1 was postponed until October 25, 2011.

\* \* \* \* \*

Item 38, being:

CONSIDERATION OF PRELIMINARY PLAT FOR THE TECUMSEH PROJECT ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED SOUTH OF WEST TECUMSEH ROAD EAST OF ASTOR DRIVE)

Councilmember Ezzell moved that the preliminary plat and waiver of alley requirements for Tecumseh Project Addition, a Planned Unit Development, be postponed until October 25, 2011, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. PP-1112-1 dated June 21, 2011, by Ken Danner, Development Manager
2. Location map
3. Preliminary plat
4. Staff Report dated August 11, 2011, recommending approval
5. Preliminary site development plan
6. Development Review Form, Transportation Impacts, dated July 6, 2011, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Letter requesting alley waiver dated July 5, 2011, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Jim Gasaway, Chairman, Planning Commission
8. City of Norman Predevelopment Summary Case No. PD11-13 dated March 24, 2011, for Cascade Development, L.L.C., for property located on the south side of Tecumseh Road east of Astor Drive
9. Greenbelt Enhancement Statement dated March 7, 2011
10. Greenbelt Commission comments

Participants in discussion

1. Ms. Vicki Hopkins, 3112 Teton Oval, protestant

and the question being upon postponing the preliminary plat and waiver of alley requirements for Tecumseh Project Addition, a Planned Unit Development, until October 25, 2011, a vote was taken with the following result:

YEAS:

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

NAYES:

None

The Mayor Pro Tem declared the motion carried and the preliminary plat and waiver of alley requirements for Tecumseh Project Addition, a Planned Unit Development, were postponed until October 25, 2011.

\* \* \* \* \*

Item 39, being:

RESOLUTION NO. R-1112-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN THE NORMAN CITY COUNCIL CHAMBERS IN A PROMINENT LOCATION.

Councilmember Gallagher moved that Resolution No. R-1112-53 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1112-53 dated October 5, 2011
2. Resolution No. R-1112-53

Item 39, continued:

Thereupon, Councilmember Kovach moved that Resolution No. R-1112-53 be amended as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" AND "E PLURIBUS UNUM" IN THE NORMAN CITY COUNCIL CHAMBERS IN A PROMINENT LOCATION.

\* \* \*

§ ~~3.~~ 3. WHEREAS "E Pluribus Unum" was adopted by an Act of Congress in 1782 as a part of the National Seal and served as the motto until 1956, and these words have been used on United States currency since 1795; and

§ ~~4.~~ 4. WHEREAS strength through unity is a foundation for our nation and our community; and

§ ~~3~~ 5. WHEREAS, these words have been a profound source of strength and guidance to many generations of Americans; and

§ ~~4~~ 6. WHEREAS, the Council desires to display ~~this~~ these patriotic mottos in the Council Chambers to solemnize public occasions and express confidence in our society.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA:

§ ~~5.~~ 7. That the historic words of our national mottos, "In God We Trust," and "E Pluribus Unum" shall be permanently and prominently displayed in the Norman Council Chambers of City Hall, centered on the wall behind the Councilmembers and legible throughout the chambers.

§ ~~6.~~ 8. Further, that the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

\*\*\*

which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Resolution No. R-1112-53, as amended

and the question being upon amending Resolution No. R-1112-53 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers 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-1112-53 was amended as stated above.

Participants in discussion

1. Mr. Ian Koettner, 825 Coopers Hawk Drive, protestant
2. Ms. Lisa Schmidt, 1330 Salisbury Drive, asked questions
3. Mr. Will Weir, 1426 Beverly Hills Street, protestant
4. Mr. Van Harrington, 412 Rhoades Court, asked questions
5. Mr. Fred Pope, 1501 Navajo Road, proponent
6. Ms. Mary Steine, 4013 Buckingham Drive, proponent
7. Mr. Ty Hardiman, 630 Miller Avenue, protestant
8. Mr. Stephen Tyler Holman, 1020 South College Avenue, protestant
9. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
10. Ms. Alice Vile, 3003 River Oaks, protestant
11. Ms. Elizabeth Kendrick, 211 Harvard Drive, protestant

Item 39, continued:

and the question being upon adopting Resolution No. R-1011-53, as amended, a vote was taken with the following result:

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

The Mayor Pro tem declared the motion carried and Resolution No. R-1011-53, as amended, was adopted.

\* \* \* \* \*

#### MISCELLANEOUS DISCUSSION

Councilmember Dillingham is Missed. Mayor Pro Tem Quinn said Councilmember Dillingham has missed two meetings in a row because of family illness and asked everyone to keep her and her family in their thoughts.

\*

Smalley Center. Mr. Jim Stanley, 3922 Pine Tree Circle, said he had not understood in the beginning how the City could spend \$800,000 at the Smalley Center and when he toured that facility, he observed an arms vault and several other good points suitable for a Police facility but he still questioned the estimate for improvements. He said he did not understand why the funding for the Smalley Center had been used to purchase the Gray Street properties. He did not know there was anywhere else to store weapons and was told they were presently stored at the Police Pistol Range. He said he wanted to know what the situation was with the Smalley Center and how long the Army would wait for the City to commit to the property.

Mr. Steve Lewis, City Manager, said the City of Norman has not been offered this property to date and Staff was presently in discussion with the Departments of Defense and Justice. He said the property would be conveyed to the City at the appropriate time and that title was being cleared up so it could be transferred to the City. He said some time ago a local architect and engineering firm had inspected the property and provided a detailed cost estimate to modernize the facility to make it ready to be occupied by the Police and Fire Departments and he would be happy to make this available to Mr. Stanley.

Mr. Stanley said it was his impression that the money for the Smalley Center had already been committed to the Gray Street properties and asked for clarification.

Mr. Anthony Francisco, Director of Finance, said Council had approved transferring the funds originally budgeted for the Smalley Center to be used to purchase the Gray Street property.

\*

Flooding Problems in Southlake Addition. Mr. Glen Dewberry, 1408 Spring Creek Drive, Yukon, said he and his wife own a house in the Southlake Addition at 2129 Harbor Drive. He said the property has had flooding problems since it was developed and Mr. Bob Hanger, Stormwater Engineer, and Mr. Shawn O'Leary, Director of Public Works, had been very helpful in trying to resolve the flooding issues. He read excerpts from the City ordinance about property owners' responsibilities regarding stormwater runoff, drainage, erosion, and sedimentation. He said the level of the ground is higher on one side of the property and all the drainage runoff drains into several properties' backyards. He has asked City Staff why this ordinance is not applicable and was told that the property on the east is not yet developed so this did not apply and that the ordinance is difficult to enforce. He asked if the ordinance is not enforceable then why is it still on the books. He said Mr. O'Leary has researched the development of the property and Staff has agreed that the runoff on the east is causing the problem and should be addressed according to the ordinance by the owner of that property. He was informed that the property owner is going to brush hog on the west side of the drainage ditch which will not take care of the problem. He said there has already been damage in one of the homes and potential for damage in others.

Miscellaneous Discussion, continued:

Flooding Problems in Southlake Addition, continued:

Mr. Shawn O'Leary, Director of Public Works, said Public Works and Legal Staff have been working with Mr. Dewberry for many months regarding this concern. He said the addition is located on Highway 77/Classen Boulevard south of Highway Nine and east of the property, the natural contour of the ground is an unplatted, undeveloped agricultural property and this parcel divides Southlake Addition and St. James Addition. He said the property is owned by the Cervi Group. He said Mr. Dewberry's home was built in 1983 prior to much of our current drainage criteria and standards. He said it was a well built home by the McKown Group but the flow of water has existed from well before development of the property. He said Staff's interpretation was that there has been no violation on the part of the adjacent property owner but Staff has tried to be a mediator between Mr. Dewberry and the developer to the east. He said the group has been willing to brush hog and also clean the area. He said there was a ditch and berm dug at the time of development but it was not designed and no easements were dedicated for maintenance of it. He said Staff has determined this to be a civil matter between the two property owners. He said the Legal Department has concluded that the City does not have a legal position to require either property owner to do anything at this time. It was his understanding that none of the homes in Southlake Addition have been flooded inside the structures but certainly there has been water in the backyards and a nuisance created from the runoff of water into this area.

\*

Rule of Three. Ms. Lisa Schmidt, 1330 Salisbury Avenue, said after the new Councilmembers were seated the "Rule of Three" had been adopted. She said it was her understanding that any item brought by three people and put on the agenda could not be voted on at the same meeting. She asked if this was correct or was she confusing this with an ordinance.

Councilmember Kovach said when the "Rule of Three" was brought forward, it was passed both as a resolution and an ordinance. He said the ordinance took effect thirty days after it was approved and the resolution took place immediately. He said the Charter specifies that no ordinance can be voted on in the same meeting that is introduced and that is why there is a First Reading. He said resolutions and proclamations do not fall under these guidelines.

Ms. Schmidt said she hoped Council is very cautious about using the "Rule of Three" because although Council had invited public input sometimes people are not given enough notice when these types of items come forward.

\*

Enforcement Authority. Ms. Jeanette Coker, 620 East Main Street, said she believed Ms. Mary Francis should be removed from the Enforcement Authority. She reminded Council that the City Clerk sent out the Campaign Contribution and Expenditure Reports to Council and the Enforcement Authority on Wednesday, March 2, 2011, and on March 3rd, she was reported in the Thursday morning Norman Transcript for filing her report late. She said the Enforcement Authority did not meet until Friday, March 4th and that this shows Mary Francis as Chairman of the Enforcement Authority acted solely on her own and that she had been singled out for filing late even though there were other late reports not mentioned. She said this was a violation of the Ethics Policy and harassment. She said she has heard discussion about abolishing the Enforcement Authority altogether and that the Enforcement Authority provides information to the Candidates that is needed but the duties and responsibilities of the Enforcement Authority probably do need to be better defined. She said as an appointed official, Mary Francis pledged to carry out her duties while maintaining the utmost ethical standards of fairness and impartiality, to avoid any intimidation, hostility or other adversity, harassment of any sort, discrimination or the appearance thereof. She asked for the removal of Mary Francis from the Enforcement Authority on the basis of impropriety and that Council should step up and do what needs to be done.

Mr. Will Weir, 1426 Beverly Hills Street, agreed with Ms. Coker that in the interest of good governance and balance, something should be done.

Councilmember Kovach said when a citizen makes an allegation of a violation of the Ethics Policy Council cannot sit by and ignore it. He asked the City Manager to look into this and suggested a meeting with Ms. Coker and her Council representative with a report back to Council.

\*

Miscellaneous Discussion, continued:

Thanks to City Council. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau (NCVB), thanked City Council for supporting the NCVB's marketing efforts through the approval of the funds for the development of the mobile site. He said NCVB is working on their annual report which shows an overwhelming increase over last year.

\*

Grand Opening of Andy Alligator Water Park. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau (NCVB), announced that the Ground Breaking for the Andy Alligator Water Park would be at 11:30 a.m., Wednesday, October 12, 2011.

\*

Disappointment in Approval of Item 39. Ms Elizabeth Kendrick, 211 Harvard, expressed her disappointment in the approval of Item 39, Resolution No. R-1112-53 when many opposed it. She said this is the first City Council meeting she had attended and she got the impression that Council was not listening to the people in the audience and she would like to think that the citizens' voices matter. She said she would remember on Election Day and she does vote.

Mayor Pro Tem Quinn replied that there are those that think Council does not listen to them because they vote a different way. He said this City Council takes into consideration what is said, they think about the issue, and then they make a decision to vote. He said Council may not vote the way you want us to, but that does not mean they are not listening.

\*

Removal of Poster from City Hall. Mr. Stephen Tyler Holman, 1020 College Avenue, said he agreed with Councilmember Kovach that the poster in the hallway of City Hall that says "America, Love It or Leave It" should be removed.

\*

Veteran's Committee. Councilmember Gallagher said he is serving on a Veteran's Committee that is planning the Veteran's Day Parade which will be at 8:00 a.m. on November 11, 2011. He said the parade would be for all veterans, active or inactive. He invited everyone who has spent any time in the military to come out and march from Eufaula Street at Jenkins Avenue to the Memorial at Reaves Park where there will be a dedication, a flyover, and patriotic music from the University of Oklahoma, Norman High, and Norman North Bands. He said this is not an official City event but it is supported by the City. He said this was a group of people who thought that Norman needed a parade honoring the veterans and the people in the military and there has not been a parade like this since the end of World War II. He said there were several units participating along with the Canadian River Cruisers and the Blue and Gold Star Mothers. He reminded citizens that the parade would be in tribute to those who never made it back or whose lives were ruined by the war. He discussed Oklahoma's history in the military and listed the loss of lives in each war. He urged all veterans to get involved and be a part of this.

\*

Parking Tickets for the Disabled. Councilmember Kovach said he had been contacted by a constituent who is disabled, had parked at the Cleveland County Courthouse while performing jury duty, and received a parking ticket for an expired meter. He said many Oklahoma communities waive giving citations to those who have a handicapped sticker in their car when they are at an expired meter. He said he thought Norman should consider this and Council should look at this.

\*

Commendation to Fire Department. Councilmember Griffith said one of the goals during the construction of Fire Station No. Eight was to achieve Leadership in Energy and Environmental Design (LEED) certification and Fire Station No. Eight has achieved Gold LEED Certification. He said this fire station is the first one in the state of Oklahoma to receive LEED Certification. He offered his congratulations.

\*

Miscellaneous Discussion, continued:

Ward 6 Comprehensive Transportation Planning (CTP) Meeting. Councilmember Griffith reminded Ward 6 citizens that there would be a Ward 6 CTP meeting at 6:30 p.m. on Monday, October 24, 2011, at Eisenhower Elementary School, to begin discussions about the CTP Scoping Plan. He said citizen input was needed and there would be a meeting in every ward to allow the scoping group to gather the community's ideas about a Transportation Master Plan that is so desperately needed for Norman.

\*

Sales Tax for October. Mr. Steve Lewis, City Manager, said the October sales tax receipts have been received which is for the month of August, 2011, and with adjustments from the Tax Free Holiday, receipts shows 6.46% over 2010. He said the 2012 Budget had been based on a 4.5% increase which makes the City ahead of what was anticipated.

Mayor Pro Tem Quinn said 6.46% is nice but the community still needs to "Shop Norman" to make the percentage higher each month.

\*

Fall Cleanup. Mr. Steve Lewis, City Manager, said Fall Cleanup is underway and this Saturday, October 15th is the designated pickup day for those with Wednesday trash collection; October 22nd is for those who have their trash picked up on Thursday; and October 29th for those who have Friday pickup. He said for those who have missed their pickup day, the Transfer Station will be open at no charge to the citizens on Saturdays through October 29th.

\*

November 8th Election. Mr. Steve Lewis, City Manager, said on November 8th voters will be voting on the Animal Shelter Improvements and a Charter Amendment. He said this information is posted on the City's website and an informational mailer will be sent to Norman residents during the last week of October.

\*

Robinson Street Underpass. Mr. Steve Lewis, City Manager, said the first beam for the Robinson Street Underpass will be put up on Wednesday, October 12, 2011. He said this beam will span the three piers across Robinson Street and will be the first sign of the permanent bridge.

\*

Fire Station No. Nine. Mr. Steve Lewis, City Manager, said Fire Station No. Nine is coming along well and the design and bid documents should be completed by mid-November and then the project will be bid out.

\* \* \* \* \*

#### ADJOURNMENT

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

YEAS:	Councilmembers 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 meeting was adjourned at 8:45 p.m.

ATTEST:

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

\_\_\_\_\_  
Mayor