

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

February 28, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 28th day of February, 2012, 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,
Quinn, Spaulding, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Norman and Noble area Girl Scouts.

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Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF JANUARY 18, 2012
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF
FEBRUARY 2, 2012
CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 7, 2012
CITY COUNCIL MINUTES OF FEBRUARY 14, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 14, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 14, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF FEBRUARY 14, 2012
CITY COUNCIL FINANCE COMMITTEE MINUTES OF FEBRUARY 15, 2012

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 Quinn;

Items submitted for the record

1. Text File No. GID-1112-60 dated February 14, 2011, by Brenda Hall, City Clerk
2. City Council Finance Committee minutes of January 18, 2012
3. City Council Business and Community Affairs Committee minutes of February 2, 2012
4. City Council Study Session minutes of February 7, 2012
5. City Council minutes of February 14, 2012
6. Norman Utilities Authority minutes of February 14, 2012
7. Norman Municipal Authority minutes of February 14, 2012
8. Norman Tax Increment Finance Authority minutes of February 14, 2012

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

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

NAYES: None

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

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Item 4, being:

PROCLAMATION NO. P-1112-12: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, MARCH 12, 2012, AS GIRL SCOUT DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-12 proclaiming Monday, March 12, 2012, as Girl Scout Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. GID-P-1112-12 dated February 17, 2012, by Brenda Hall, City Clerk
- 2. Proclamation No. P-1112-12

Participants in discussion

- 1. Ms. Mercedes Harris, Girl Scout Ambassador, along with several representatives from Girl Scout and Brownie Troops, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-12 proclaiming Monday, March 12, 2012, as Girl Scout Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-1112-12 proclaiming Monday, March 12, 2012, as Girl Scout Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 23 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Dillingham; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 23, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Item 6 through Item 23 were placed on the consent docket by unanimous vote.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1112-21 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 BAR, LOUNGE, OR TAVERN WITH LIVE ENTERTAINMENT IN PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT; LYING WITHIN LOTS 1 AND 2, BLOCK 23, ORIGINAL TOWN OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (300 EAST MAIN STREET)

Councilmember Kovach moved that Ordinance No. O-1112-21 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Item 6, continued:

Items submitted for the record

1. Text File No. O-1112-21 dated January 30, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-21
3. Location map
4. Staff Report dated February 9, 2012, recommending approval
5. Predevelopment summary Case No. PD 11-34 dated December 15, 2011, for the Palace, L.L.C., for property generally located at the southeast corner of Main Street and Crawford Avenue
6. Pertinent excerpts from Planning Commission minutes of February 9, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-21 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-21 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1112-22 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE ALLEY RIGHT-OF-WAY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, CLASSEN/MILLER ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (325 EAST KEITH STREET)

Councilmember Kovach moved that Ordinance No. O-1112-22 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-22 dated January 30, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-22
3. Location map
4. Memorandum dated January 5, 2012, from Brenda Hall, City Clerk, to Doug Koscinski, Current Planning Manager; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; and Ken Danner, Subdivision Manager
5. Letter of request dated January 5, 2012, from R. Blaine Nice, Attorney-Agent, Fellers, Snider, Blankenship, Bailey and Tippens, to Ms. Brenda Hall, City Clerk
6. Radius map
7. Staff Report dated February 9, 2012, recommending approval
8. Letter dated February 3, 2012, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Services, Ken Danner, Subdivision Manager
9. Email dated February 1, 2012, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Subdivision Manager
10. Email dated February 2, 2012, from Terri L. Hayes, AT&T, to Drew Norlin, Subdivision Development Coordinator, to Ken Danner, Subdivision Manager
11. Pertinent excerpts from Planning Commission minutes of February 9, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-22 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-22 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1112-23 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 48TH AVENUE N.W. APPROXIMATELY 330 FEET SOUTH OF TECUMSEH ROAD)

Councilmember Kovach moved that Ordinance No. O-1112-23 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-23 dated January 30, 2012, by Doug Kosciński, Current Planning Manager
2. Ordinance No. O-1112-23 with Fountain View North Addition Planned Unit Development (PUD) Narrative submitted January 9, 2012, and revised January 25, 2012, by Sassan K. Moghadam, Developer, containing Exhibit A, Proposed Preliminary Plat; Exhibit B, Site Development Plan; and Exhibit C, Proposed Open Space Diagram
3. Location map
4. Staff Report dated February 9, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of February 9, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-23 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-23 was Introduced, read, and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

TERM: 02-28-12 TO 02-13-13: DAVID HUDDLESTON, 771 NEBRASKA STREET

NORMAN HOUSING AUTHORITY

TERM: 11-21-12 TO 11-21-15: MIKE MCDANEL, 2620 ACACIA COURT

TERM: 11-21-12 TO 11-21-15: JEFF CUMMINS, 4401 BERRY FARM ROAD

PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 02-10-12 TO 02-10-15: MARY SUE SCHNELL, 4106 COVENTRY LANE (WARD 3)

TERM: 02-10-12 TO 02-10-15: DAVID WILSON, 408 EGRET LANE (WARD 8)

TERM: 02-10-12 TO 02-10-15: DON HOLYFIELD, 3406 HILLVIEW DRIVE (AT LARGE)

ANIMAL SHELTER OVERSIGHT COMMITTEE

JENNIFER KIDNEY, 1232 WINDSOR WAY, CITIZEN

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

Items submitted for the record

1. Text File No. AP-1112-14 dated February 21, 2012

Item 9, continued:

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

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

NAYES: None

The Mayor declared the motion carried and the appointments were confirmed.

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Item 10, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2012, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1112-30 dated February 13, 2012, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report of January 31, 2012

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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

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

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Item 11, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JANUARY, 2012, 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 Cubberley;

Items submitted for the record

1. Text File No. RPT-1112-29 dated February 13, 2012, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of January, 2012
3. City of Norman Department of Finance, Monthly Report, January, 2012

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance
2. Mr. Jeff Bryant, City Attorney

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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

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

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Item 12, being:

SUBMISSION OF THE CITIZEN'S PUBLIC SAFETY OVERSIGHT COMMITTEE ANNUAL REPORT.

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

Items submitted for the record

1. Text File No. RPT-1112-28 dated February 13, 2012, by Carol Coles, Administrative Assistant
2. City of Norman Citizen's Public Safety Oversight Committee Report for 2011

Participants in discussion

1. Mr. Keith Humphrey, Police Chief
2. Mr. David Wilson, 408 Egret Lane
3. Mr. Bobby Stevens, Post Office Box 6226, asked questions

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 Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

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

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Item 13, being:

CONSIDERATION OF BID NO. 1112-29, CONTRACT NO. K-1112-84 WITH SILVER STAR CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,425,555.70; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$82,560; PERFORMANCE BOND NO. B-1112-17; STATUTORY BOND NO. B-1112-18; MAINTENANCE BOND NO. MB-1112-22; AND RESOLUTION NO. R-1112-28 FOR THE 2012 URBAN ASPHALT PAVEMENT REHABILITATION BOND PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$1,425,555.70 be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-84, Change Order No. One increasing the contract amount by \$82,560, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No. R-1112-28 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-84 dated January 30, 2012, by Greg Hall, Street Superintendent
2. Tabulation of bids dated January 19, 2012, for Urban Asphalt Pavement Rehabilitation, FYE 2012 Locations
3. List of locations
4. Location map
5. Contract No. K-1112-84
6. Change Order No. One to Contract No. K-1112-84
7. Performance Bond No. B-1112-17
8. Statutory Bond No. B-1112-18
9. Maintenance Bond No. MB-1112-22
10. Resolution No. R-1112-28
11. Purchase Requisition No. 0000196849 dated January 27, 2012, in the amount of \$1,508,815.70 to Silver Star Construction Company, Inc.

Participants in discussion

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

Item 13, continued:

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 Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$1,425,555.70 was awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-84, Change Order No. One increasing the contract amount by \$82,560, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order was authorized; the filing of the bonds was directed; and Resolution No. R-1112-28 was adopted.

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Item 14, being:

CONSIDERATION OF BID NO. 1112-30, CONTRACT NO. K-1112-85 WITH CENTRAL CONTRACTING SERVICES, INC. IN THE AMOUNT OF \$790,420; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$85,307; PERFORMANCE BOND NO. B-1112-19; STATUTORY BOND NO. B-1112-20, MAINTENANCE BOND NO. MB-1112-23, AND RESOLUTION NO. R-1112-54 FOR THE 2012 URBAN CONCRETE REHABILITATION BOND PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$790,420 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-85, Change Order No. One increasing the contract amount by \$85,307, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No. R-1112-54 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-85 dated January 27, 2012, by Greg Hall, Street Superintendent
2. Tabulation of bids dated January 19, 2012, for Urban Concrete Pavement Rehabilitation, FYE 2012 Locations
3. List of locations
4. Location map
5. Contract No. K-1112-85
6. Change Order No. One to Contract No. K-1112-85
7. Performance Bond No. B-1112-19
8. Statutory Bond No. B-1112-20
9. Maintenance Bond No. MB-1112-23
10. Resolution No. R-1112-54
11. Purchase Requisition No. 0000196844 dated January 27, 2012, in the amount of \$875,727 to Central Contracting Services, Inc.

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 Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$790,420 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-85, Change Order No. One increasing the contract amount by \$85,307, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order was authorized; the filing of the bonds was directed; and Resolution No. R-1112-54 was adopted.

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Item 15, being:

CONSIDERATION OF A FINAL PLAT FOR LAS COLINAS ADDITION, SECTION 1, (FORMERLY KNOWN AS FOUNTAIN VIEW ADDITION, SECTION 2), ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF STREET AND DRAINAGE IMPROVEMENTS ADJACENT TO 48TH AVENUE N.W. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF TECUMSEH ROAD ON THE EAST SIDE OF 48TH AVENUE N.W.)

Councilmember Kovach moved that the final plat for Las Colinas Addition, Section 1, (formerly known as Fountain View Addition, Section 2) and the deferral of sidewalk and drainage improvements adjacent to 48th Avenue N.W., 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, acceptance of a cash surety securing the public improvements, and receipt of a Certificate of Deposit in the amount of \$78,520 for the deferral of street and drainage improvements adjacent to 48th Avenue N.W. within 10 days after approval and a traffic impact fee in the amount of \$1,707.58; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1011-6 dated August 11, 2010, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated September 9, 2010, recommending approval
4. Final plat, Fountain View Addition, Section 2
5. Final plat, Las Colinas Addition, Section 1
6. Preliminary plat Fountain View Addition
7. Letter dated January 18, 2012, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Ken Danner, Development Coordinator
8. Engineer's estimate dated January 24, 2012, from Ole M. Marcussen, P.E., SMC Consulting Engineers, P.C., to Mr. Todd McLellan, P.E., Development Engineer
9. Pertinent excerpts from Board of Parks Commissioners minutes of August 5, 2004
10. Pertinent excerpts from Planning Commission minutes of September 9, 2010

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon approving the final plat for Las Colinas Addition, Section 1, (formerly known as Fountain View Addition, Section 2) and the deferral of sidewalk and drainage improvements adjacent to 48th Avenue N.W. and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the final plat for Las Colinas Addition, Section 1, (formerly known as Fountain View Addition, Section 2) and the deferral of sidewalk and drainage improvements adjacent to 48th Avenue N.W., 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, acceptance of a cash surety securing the public improvements, and receipt of a Certificate of Deposit in the amount of \$78,520 for the deferral of street and drainage improvements adjacent to 48th Avenue N.W. within 10 days after approval and a traffic impact fee in the amount of \$1,707.58; and the filing of the final plat was directed.

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Item 16, being:

CONSIDERATION OF A FINAL PLAT FOR LAS COLINAS ADDITION, SECTION 2, (FORMERLY KNOWN AS FOUNTAIN VIEW ADDITION, SECTION 3) AND THE ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF TECUMSEH ROAD AND ONE-THIRD MILE EAST OF 48TH AVENUE N.W.)

Councilmember Kovach moved that the final plat for Las Colinas Addition, Section 2, (formerly Fountain View Addition, Section 3) be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of \$981.58; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1011-7 dated August 11, 2010, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated September 9, 2010, recommending approval
4. Final plat, Fountain View Addition, Section 3
5. Final plat, Las Colinas Addition, Section 2
6. Preliminary plat Fountain View Addition
7. Letter dated January 18, 2012, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Ken Danner, Development Coordinator
8. Pertinent excerpts from Board of Parks Commissioners minutes of August 5, 2004
9. Pertinent excerpts from Planning Commission minutes of September 9, 2010

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon approving the final plat for Las Colinas Addition, Section 2, (formerly Fountain View Addition, Section 3) and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the final plat for Las Colinas Addition, Section 2, (formerly Fountain View Addition, Section 3) approved, the public dedications contained within the plat were accepted; the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of \$981.58; and the filing of the final plat was directed.

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Item 17, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-8 FOR LOT 21, BLOCK 2, COBBLESTONE WEST ADDITION, SECTION II. (4700 12TH AVENUE S.E.)

Councilmember Kovach moved that Consent to Encroachment No. EN-1112-8 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. EN-1112-8 dated February 13, 2012, by Leah Messner, Assistant City Attorney
2. Memorandum dated January 13, 2014, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
3. Letter of request dated January 6, 2012, from Gary L. Lam to Whom It May Concern with Exhibit A, location maps
4. Aerial Photograph
5. Consent to Encroachment
6. Memorandum dated February 13, 2012, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated February 14, 2012, from Ken Danner, Subdivision Development Manager, to Leah Messner, Assistant City Attorney
8. Letter dated January 19, 2012, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
9. Letter dated January 18, 2012, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator, and Norman Planning Commission
10. Email dated February 14, 2012, from Terri L. Hayes, Manager, AT&T, to Drew Norlin, Subdivision Development Coordinator
11. Letter dated January 18, 2012, from Randy Harrell, Team Leader, Oklahoma Natural Gas, a Division of ONEOK, to Mr. Ken Danner, Subdivision Manager, and Mr. Gary L. Lam
12. Letter dated February 14, 2012, from Jodie Finney, Right-of-Way, Cox Communications, to Gary L. Lam

and the question being upon approving Consent to Encroachment No. EN-1112-8 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Consent to Encroachment No. EN-1112-8 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 18, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0809-46: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ALLTEL COMMUNICATIONS, L.L.C., D/B/A VERIZON WIRELESS FOR THE LEASE OF A MONOPOLE TOWER SITE LOCATED AT THE STREET MAINTENANCE FACILITY AT 668 EAST LINDSEY STREET.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0809-46 with Alltel Communications d/b/a Verizon Wireless be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-0809-46, Amendment No. One, dated February 16, 2012, by Jennifer Gray, Telecommunications Administrator
2. Amendment No. One to Contract No. K-0809-46

Item 18, continued:

and the question being upon approving Amendment No. One to Contract No. K-0809-46 with Alltell Communications d/b/a Verizon Wireless and upon the subsequent authorization and appropriation, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Amendment No. One to Contract No. K-0809-46 with Alltell Communications d/b/a Verizon Wireless approved; and the execution thereof was authorized.

* * * * *

Item 19, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-48: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CIMARRON CONSTRUCTION COMPANY FOR THE FYE 2010 DRAINAGE PROJECTS DECREASING THE CONTRACT AMOUNT BY \$5,795.30 AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved Change Order No. One to Contract No. K-1112-48 with Cimarron Construction Company decreasing the contract amount by \$5,795.30 be approved, the execution thereof be authorized, the project be accepted, and final payment in the amount of \$72,908.59 be directed to Cimarron Construction Company, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-48, Change Order No. One, dated February 3, 2012, by Bob Hanger, Stormwater Engineer
2. Change Order No. One to Contract No. K-1112-48
3. Application and Certificate of Payment dated February 8, 2012, in the amount of \$72,908.59 from Cimarron Construction Company to City of Norman

and the question being upon approving Change Order No. One to Contract No. K-1112-48 with Cimarron Construction Company decreasing the contract amount by \$5,795.30 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Change Order No. One to Contract No. K-1112-48 with Cimarron Construction Company decreasing the contract amount by \$5,795.30 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$72,908.59 was directed to Cimarron Construction Company.

* * * * *

Item 20, being:

CONTRACT NO. K-1112-101: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CHEMICAL RECLAMATION SERVICES, L.L.C., IN THE AMOUNT OF \$75,000 TO PROVIDE A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT TO BE HELD APRIL 14, 2012, AT THE LLOYD NOBLE CENTER PARKING LOT AND PERFORMANCE BOND B-1112-26.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1112-101 with Chemical Reclamation Services, L.L.C., in the amount of \$75,000 and Performance Bond No. B-1112-26 be approved, the execution thereof be authorized, and the filing of the performance bond be directed, which motion was duly seconded by Trustee Dillingham;

Items submitted for the record

1. Text File no. K-1112-101 dated February 7, 2012, by Debra Smith, Environmental Services Coordinator
2. Contract No. K-1112-101
3. Performance Bond No. B-1112-26
4. Purchase Requisition No. 0000197176 dated February 7, 2012, in the amount of \$75,000 to Chemical Reclamation Services, L.L.C.

and the question being upon approving Contract No. K-1112-101 with Chemical Reclamation Services, L.L.C., in the amount of \$75,000 and Performance Bond No. B-1112-26 and upon the subsequent authorization and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-101 with Chemical Reclamation Services, L.L.C., in the amount of \$75,000 and Performance Bond No. B-1112-26 approved; the execution thereof was authorized and the filing of the performance bond was directed

* * * * *

Item 21, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$5,000 FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS TO BE USED BY THE NORMAN OFFICE OF EMERGENCY MANAGEMENT TO PROVIDE PUBLIC OUTREACH AND EDUCATION DURING THE ANNUAL MEDIEVAL FAIR BEING HELD MARCH 30 THROUGH APRIL 1, 2012, APPROVAL OF CONTRACT NO. K-1112-116, AND ADOPTION OF RESOLUTION NO. R-1112-115 APPROPRIATING FUNDS.

Councilmember Kovach moved that a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide outreach and education during the annual Medieval Fair being held March 30 through April 1, 2012, be accepted; Contract No. K-1112-116 be approved; execution of the contract be authorized; and Resolution No. R-1112-115 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-116 dated February 14, 2012, by James Fullingim, Fire Chief
2. Contract No. K-1112-116
3. Resolution No. R-1112-115

Item 21, continued:

and the question being upon accepting a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide outreach and education during the annual Medieval Fair being held March 30 through April 1, 2012, and upon the subsequent approval, authorization, and adoption, a vote was taken with the following result:

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

The Mayor declared the motion carried and a grant in the amount of \$5,000 from the National Association of County and City Health Officials to be used by the Norman Office of Emergency Management to provide outreach and education during the annual Medieval Fair being held March 30 through April 1, 2012, accepted; Contract No. K-1112-116 was approved, the execution of the contract was authorized, and Resolution No. R-1112-115 was adopted.

* * * * *

Item 22, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$55,596.58 REGARDING JACOB HUNT VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-01174A.

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 \$55,596.58 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-61 dated February 15, 2012, by Jeanne Snider, Assistant City Attorney with Attachment 1, cost breakdown
2. Workers Compensation Court Case No. WCC-2011-01174A filed February 6, 2012
3. Purchase Requisition No. 0000197519 dated February 15, 2012, in the amount of \$30,874 to Jacob Hunt and Greg Barnard
4. Purchase Requisition No. 0000197520 dated February 15, 2012, in the amount of \$1,077 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000197521 dated February 15, 2012, in the amount of \$403.88 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000197522 dated February 15, 2012, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition No. 0000197523 dated February 15, 2012, in the amount of \$125.70 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, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized, and payment of claims in the amount of \$53,850 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 23, being:

RESOLUTION NO. R-1112-114: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$6,575 FROM THE CAPITAL FUND BALANCE TO FULFILL THE REMAINDER OF THE DESIGN SERVICES PROVIDED BY GARVER, L.L.C. FOR TRAFFIC SIGNAL IMPROVEMENTS AT REAGAN ELEMENTARY SCHOOL LOCATED ON THE EAST SIDE OF 24TH AVENUE S.E., NORTH OF HIGHWAY 9.

Councilmember Kovach moved that Resolution No. R-1112-114 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-114 dated February 14, 2012, by Angelo Lombardo, Traffic Engineer
2. Resolution No. R-1112-114
3. Letter dated February 9, 2012, from Dr. Roger Brown, Assistant Superintendent, Norman Public Schools, to Mr. Riesland
4. Work Order No. Four for Professional Engineering Services from Garver, L.L.C., with attachments, Garver Hourly Rate Schedule, Fee Summary, and Work Task Description

Participants in discussion

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

and the question being upon adopting Resolution No. R-1112-114, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-114 was adopted.

* * * * *

Item 24, being:

RESOLUTION NO. R-1112-112: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO MANAGE THE DOWNTOWN PARKING LOT LOCATED BETWEEN CRAWFORD AVENUE AND JONES STREET SOUTH OF GRAY STREET (121 NORTH PETERS AVENUE) BY MAKING AT LEAST SEVENTY-EIGHT (78) SPACES AVAILABLE FOR SPECIFIED TIME PERIODS FOR USE BY THE GENERAL PUBLIC THAT MIGHT BE PATRONIZING DOWNTOWN RETAIL BUSINESSES IN ACCORDANCE WITH A DEED RESTRICTION AGREED UPON WHEN THE CITY PURCHASED THE DOWNTOWN PARKING LOT PROPERTY, AND BY ENTERING INTO LEASE AGREEMENTS FOR UP TO TWENTY-SIX (26) SPACES WITH BUSINESSES OR INDIVIDUALS WHO DESIRE TO RESERVE A SPACE OR SPACES FOR EXTENDED TIME PERIODS.

Councilmember Dillingham moved that Resolution No. R-1112-112 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-112 dated February 16, 2012, by Shawn O'Leary, Director of Public Works
2. Resolution No. R-1112-112
3. Lease Agreement for Parking Spaces in Municipal Parking Lot
4. Lottery Policies and Procedures
5. Location map
6. Letter dated February 27, 2012, from Stephen Koranda, Norman Downtowners' Association Board Chair, to Mayor Cindy Rosenthal, Councilwoman Carol Dillingham, and City Manager Steve Lewis

Thereupon, Councilmember Dillingham moved that Resolution No. R-1112-112 be postponed until April 10, 2012; which motion was duly seconded by Councilmember Ezzell;

Participants in discussion

1. Mr. Rhett Jones, 211 East Main Street, made comments

Item 24, continued:

and the question being upon postponing Resolution No. R-1112-112 until April 10, 2012, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1112-112 was postponed until April 10, 2012.

Item 25, being:

RESOLUTION NO. R-1112-95: 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-1112-3, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MIXED USE DESIGNATION (OFFICE AND/OR RESIDENTIAL USES) AND REMOVE THE SAME FROM THE OFFICE DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Councilmember Quinn moved that Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-95 dated December 19, 2012, by Doug Kosciński, Current Planning Manager
2. Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3
3. Location map
4. Staff Report dated January 12, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of January 12, 2012

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant
3. Mr. Rick McKinney, McKinney Partnerships, 3600 West Main Street, architect representing the applicant
4. Ms. Susan Connors, Director of Planning and Community Development
5. Mr. Shawn O'Leary, Director of Public Works
6. Mr. Zack Simmons, 1406 Amhurst Avenue, protestant
7. Mr. Dale Swaim, 1925 Oakcreek Drive, protestant
8. Mr. Allen Ahlert, Director of Manufacturing, Hitachi Computer Products, Inc., 1605 Sandpiper Lane, protestant
9. Mr. Mark Nanny, 1815 Lakehurst Drive, protestant
10. Mr. Howell Epperson, 2009 Oakmeadows Drive, protestant
11. Mr. Mark Campbell, 1320 Garfield Avenue, protestant
12. Ms. Joyce Collard, 1820 Oakhill Drive, protestant
13. Mr. James Mayer, 1812 Oakcreek Drive, protestant
14. Mr. Lance Steele, 2019 Allenhurst Street, protestant
15. Mr. Stephen Tylei Holman, 1020 South College Avenue, asked questions
16. Mr. Bobby Stevens, Post Office Box 6226, made comments
17. Ms. Nancy Stine, 1815 Oakcreek Drive, made comments
18. Mr. Keith Steincamp, 441 Waterfront Drive, proponent
19. Mr. Wayne Russell, Traffic Engineering Consultants, engineer representing the applicant

Item 25, continued:

and the question being upon adopting Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3, and upon the subsequent amendment, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1112-95, Land Use Plan Amendment No. LUP-1112-3, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 26, being:

ORDINANCE NO. O-1112-20: 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 SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Ordinance No. O-1112-20 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 14, 2012, Councilmember Ezzell moved that Ordinance No. O-1112-20 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-20 dated December 19, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-20 with Exhibit A, site plan, and Exhibit B, PUD Narrative dated December 12, 2011, and revised January 5, 2012, prepared by Sean Paul Rieger, the Rieger Law Group, with Exhibit A, Proposed Preliminary Plat' Exhibit B, Proposed Preliminary Site Development Plan, Exhibit C, Proposed Open Space Areas; and Exhibit D, Plan of uses in each area of the Site
3. Location map
4. Staff report dated January 12, 2012, recommending approval
5. Cross Section through North Property Line
6. Preliminary Site Development and Landscaping Plan
7. Existing Office Park Plan
8. Vicinity Plan
9. Protest area map with 53.1% within notification area
10. Letter of protest filed January 6, 2012, from Kimberly Baxter to City of Norman Planning Commission
11. Letter of protest filed January 6, 2012, from Bob and Debbie Rollins, Concerned Citizens and Property Owners, to Whom It May Concern
12. Letter of protest filed January 9, 2012, from Allen Ahlert, Director, Manufacturing Engineering, Hitachi Computer Products, Inc., to City Clerk, City of Norman
13. Letter of protest filed January 9, 2012, from Peter and Betty E. Douglas to Norman City Planning Commission
14. Letter of protest filed January 9, 2012, from Devin Grunder to Norman City Council
15. Petition of protest filed January 9, 2012, containing 65 signatures
16. Petition of protest filed January 9, 2012, containing 9 signatures
17. Letter of protest filed January 6, 2012, from Connie Armstrong to City of Norman Planning Commission
18. Letter of protest filed January 9, 2012, from James D. Mayer to City of Norman Planning Commission
19. Letter of protest filed January 9, 2012, from Lance Steele to City of Norman Planning Commission
20. Letter of protest filed January 9, 2012, from Tanya M. Szafranski to City of Norman Planning Commission
21. Letter of protest filed January 9, 2012, from April Minson to City of Norman Planning Commission

Item 26, continued:

Items submitted for the record, continued

22. Letter of protest filed January 9, 2012, from Joyce Collard to City of Norman Planning Commission
23. Letter of protest filed January 9, 2012, from Maria G. Alexander to City of Norman Planning Commission
24. Letter of protest filed January 9, 2012, from Dee Fisher to City of Norman Planning Commission
25. Letter of protest filed January 9, 2012, from William C. Smith to City of Norman Planning Commission
26. Letter of protest filed January 9, 2012, from Susan Craig to City of Norman Planning Commission
27. Letter of protest filed January 9, 2012, from Nancy Hogue to City of Norman Planning Commission
28. Letter of protest received January 9, 2012, from Helen A. Patrick to City of Norman Planning Commission
29. Letter of protest filed January 9, 2012, from Allison H. Patrick to City of Norman Planning Commission
30. Letter of protest filed January 9, 2012, from Steven Collins to City of Norman Planning Commission
31. Letter of protest filed January 9, 2012, from Kristi S. Wright to City of Norman Planning Commission
32. Letter of protest filed February 7, 2012, from Paula Pasterick
33. Letter of protest filed February 14, 2012, from Renee S. Markwell
34. Pertinent excerpts from Planning Commission minutes of January 12, 2012
35. Petition of protest filed February 28, 2012, containing 37 signatures
36. Letter of protest filed February 28, 2012, from Mark and Chris Nanny to City of Norman Planning Commission
37. Letter of protest filed February 28, 2012, from Christal Jones to City of Norman Planning Commission
38. Letter of protest filed February 28, 2012, from Matthew Jones to City of Norman Planning Commission

Thereupon, Councilmember Kovach moved that the PUD Narrative for Ordinance No. O-1112-20 be amended to read as follows:

I. **INTRODUCTION**

This VILLAGE AT OAKHURST ADDITION project (the "Addition") is proposed as a Planned Unit Development of roughly ~~19.44~~ 16.46 acres, in Ward 1 of the City of Norman (see attached EXHIBIT A). The Addition lies on the north side of Imhoff Road, between Classen Boulevard and 24th Avenue S.E. The Addition will provide the development, of different uses, including medium density residential, office, and churches.

* * *

III. **DEVELOPMENT PLAN AND DESIGN CONCEPT**

* * *

A. Medium Family Residential District

This area of the PUD is an planned on the Preliminary Site Development Plan, EXHIBIT B hereto, and is shown as Area One on the attached EXHIBIT D hereto.

1. **Uses: Lot Design**

* * *

- c. Density: The residential portion of the Addition may be developed to a density of up to nine ~~anywhere between a range of 12 to 20~~ units per acre considering the full 16.46 acres of the site. The preliminary plans include approximately 148 residential units, ~~but may be adjusted upward or downward within the allowed density so long as all other regulations are met (such as, but not limited to, height, building setbacks, coverage, etc.)~~

* * *

Item 26, continued:

- g. All minimum building setbacks shall be maintained as per the City Council approved Preliminary Site Development and Landscaping Plan, which is attached hereto as EXHIBIT B.

* * *

C. Miscellaenous Development Criteria

1. Site Plan and Final Plat

The preliminary site development plans for the office and medium density residential areas currently submitted with this PUD shall be incorporated herein as an integral part of the PUD and the development of the property shall be substantially constructed as presented thereon, although the PUD may be further refined once final site development plans are submitted with final plat. As the PUD process is intended to foster innovative and creative design, the applicant may exercise flexibility in the design and layout of the site plans within the Addition.

* * *

4. Fencing; buffering

* * *

The development of the PUD shall provide buffering along the northern edge as it abuts the Oakhurst residential addition. Such Buffer shall be a minimum of ~~twenty-five (25)~~ thirty-five (35) feet in width and shall include landscaped berms with trees and hedges located to buffer headlights and other intrusions from the parking areas of the residential community.

* * *

which motion was seconded by Councilmember Dillingham;

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Jeff Bryant, City Attorney
3. Ms. Susan Connors, Director of Planning and Community Development
4. Mr. Keith Humphrey, Police Chief

and the question being upon amending the PUD Narrative for Ordinance No. O-1112-20, as stated above, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell, Griffith, Kovach, Lockett, Quinn, Spaulding

NAYES: Councilmember Gallagher and Mayor Rosenthal

The Mayor declared the motion carried and the PUD Narrative for Ordinance No. O-1112-20 was amended, as stated above.

and the question being upon adopting Ordinance No. O-1112-20, as amended, upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: Councilmember Gallagher and Mayor Rosenthal

The Mayor declared the motion carried and Ordinance No. O-1112-20, as amended, was adopted upon Second Reading section by section.

Item 26, continued:

Thereupon, Councilmember Ezzell moved that Ordinance O-1112-20, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-1112-20, as amended, upon Final Reading as a whole, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Griffith, Kovach, Lockett, Quinn,
Spaulding, Mayor Rosenthal

NAYES: Councilmember Gallagher

The Mayor declared the motion carried and Ordinance No. O-1112-20, as amended, was adopted upon Final Reading as a whole.

* * * * *

Item 27, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR THE VILLAGE AT OAKHURST, A PLANNED UNIT DEVELOPMENT. (LOCATED AT THE NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Councilmember Ezzell moved that the preliminary plat for The Village at Oakhurst Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. PP-1112-8 dated December 19, 2011, by Ken Danner, Subdivision Manager with Exhibit A, Traffic Table
2. Location map
3. Staff Report dated January 12, 2012, recommending approval
4. Preliminary plat
5. Preliminary site plan
6. Development Review Form, Traffic Impacts, dated January 4, 2012, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Predevelopment Summary Case No. PD 11-25 dated October 27, 2011, for RCB Bank for property located at the northwest corner of Imhoff Road and Oakhurst Avenue
8. Greenbelt Commission Comments
9. Greenbelt Enhancement Statement for Case No. 11-22 dated October 10, 2011
10. Pertinent excerpts from Planning Commission minutes of January 12, 2012

and the question being upon approving the preliminary plat for for The Village at Oakhurst Addition, a Planned Unit Development, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Griffith, Kovach, Lockett, Quinn,
Spaulding, Mayor Rosenthal

NAYES: Councilmember Gallagher

The Mayor declared the motion carried and the preliminary plat for The Village at Oakhurst Addition, a Planned Unit Development, was approved.

* * * * *

Item 28, being:

ORDINANCE NO. O-1112-24: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTIONS 10-701, 10-702, AND 10-703 TO THE CODE OF THE CITY OF NORMAN TO DEFINE GRAY WATER AND ALLOW FOR ITS USE IN ACCORDANCE WITH SPECIFIC PROVISIONS WHILE PROVIDING A PENALTY SHOULD IT BE USED NOT IN ACCORDANCE WITH SAID PROVISIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-24 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 14, 2012, Councilmember Dillingham moved that Ordinance No. O-1112-24 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-1112-24 dated January 26, 2012, by Ken Komiske, Director of Utilities
2. Ordinance No. O-1112-24
3. Legislatively notated copy of Ordinance No. O-1112-24
4. City Council Study Session minutes of January 3, 2012
5. Pertinent excerpts from City Council Conference minutes of January 24, 2012

Participants in discussion

1. Mr. Mark Daniels, Utilities Engineer
2. Mr. Jeff Bryant, City Attorney
3. Mr. Mark Campbell, 1320 Garfield Avenue, asked questions

and the question being upon adopting Ordinance No. O-1112-24 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1112-24 was adopted upon Second Reading section by section.

Thereupon, Councilmember Griffith moved that Ordinance No. O-1112-24 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1112-24 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1112-24 was adopted upon Final Reading as a whole.

* * * * *

Item 29, being:

ORDINANCE NO. O-1112-29: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 13-101, AND ARTICLE VIII, SECTION 13-2802, OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING CONDITIONS FOR LICENSE/PERMIT ISSUANCE AND PROVISIONS FOR HOURS OF OPERATION FOR DOOR-TO-DOOR PEDDLERS AND SOLICITORS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-29 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 14, 2012, Councilmember Dillingham moved that Ordinance No. O-1112-29 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-1112-29 dated January 31, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1112-29
3. Legislatively notated copy of Ordinance No. O-1112-29
4. City Council Oversight Committee minutes of October 5, 2012

Participants in discussion

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

Thereupon, Councilmember Spaulding moved that Ordinance No. O-1112-29 be postponed, which motion was duly seconded by Councilmember Gallagher;

Participants in discussion

1. Ms. Mr. Jim Stanley, 3922 Pine Tree Circle
2. Ms. Brenda Hall, City Clerk

and the question being upon postponing Ordinance No. O-1112-29, a vote was taken with the following result:

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

The Mayor declared the motion failed and Ordinance No. O-1112-29 was not postponed.

and the question being upon adopting Ordinance No. O-1112-29 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-29 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-29 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1112-29 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-29 was adopted upon Final Reading as a whole.

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MISCELLANEOUS DISCUSSION

House Rules and Decorum. Mayor Rosenthal said there was a large audience this evening and many may or may not be familiar with the house rules regarding Miscellaneous Discussion. She read "the house rules of this body emphasize the values of respect, honesty, and courtesy in the conduct of the public's business. We certainly respect and support everyone's right to free speech and the right to be heard. We do ask, however, that everyone, the public and the City Council, honor our rules of conduct which were displayed at the beginning of the meeting on the screen behind us. She said it is her responsibility, as Mayor and Chair of the assembly, to enforce the rules and to ensure adherence to decorum and civility. She specifically asked everyone to refrain from personal attacks of any sort, whether directed at members of the public, the City Staff, or members of the Council. She said the house rules note "the business of the City is about issues, it is not personal." Council also asked that there not be outbursts or disruption when others are speaking to the Council. She said if anyone does not conform or abide by the house rules and honor the spirit and purpose of this agenda item, she will ask them to do so and if a person persists, she will ask them to take their seat and forfeit any remaining time that they might have on the clock. She said Council values the input of our citizens and welcome them to speak. She opened the podium for Miscellaneous Discussion.

Mr. Joe Love, 2116 Natchez, said he was watching the last City Council meeting when he heard a local citizen's call to the community to stand up against the spreading of intolerance and those words inspired him to speak now. He said the citizen listed the differing opinions between himself and unnamed members of the City Council, but seemed to take exception to those differences rather than celebrate them. Mr. Love said he listened in dismay as one of the citizens incited others to chastise and take action against the diverse City Council and remove from office those Councilmembers whose opinion differed from his own. He said the citizen concluded by saying that certain opinions represented by City Council were "useless, short minded, and embarrassing." Mr. Love said the Council Chamber was created to be a place where diverse opinions were represented and voted upon and each Councilmember was elected by their constituents to represent issues, values, and opinions important to the community they represent. He said, as a whole, the Council is succeeding in making that a reality and he would like to commend the City Council for regularly representing the various opinions and value systems in Norman. He implored Council to continue representing their constituents regardless of how embarrassing some citizens think they are.

Mr. Patrick O'Hearn, 1322 Columbia Circle, said he has been following the situation and has concerns as to the level headedness of everyone involved. He said he does not believe removing someone from office is a solution and the view points expressed do not represent the totality of the character of the people involved. He said he would like to see movement towards shedding light on why there are differing viewpoints and when they conflict, where we as a community plan to advance and move toward socially, economically, and ideologically. He said he would like a written statement by Council that would help him explain to colleagues from out of state, the viewpoints of Council. He said while personal attacks are ultimately destructive, they can spark discussion and hopes Council can bring those discussions to a point where the community can be proud to be Norman citizens.

Councilmember Kovach said City Council adopted a resolution for "Building an Inclusive Community." He said it is important for everyone to remember to respect opinions they agree with as well as those they disagree with. He encouraged using kind words and said Councilmembers have always been able to disagree with one another respectfully. He said everyone is entitled to their point of view and as long as everyone remains respectful, issues can move forward. He said, in his opinion, a diverse community means respecting one another.

Councilmember Dillingham said Norman does want to be an inclusive community. She said she knows for certain that all citizens of Norman want to live in a community where they feel safe and can prosper. They want strong neighborhoods where they can raise their children, nice parks, controlled traffic, and all services available. She said citizens want to work together to achieve those goals, but have to work hardest at finding that commonality in order to build a stronger community.

Mayor Rosenthal said the Inclusive Community Initiative is something the City is committed to and asked the Human Rights Commission to renew that dialogue to include participation from the public that wish to build a better Norman.

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Highway 9. Mr. Bobby Stevens, 3801 108th Avenue S.E., said there had been a recent fatality on Highway 9 and felt increased police patrolling is needed. He said Highway 9 has no turn lanes, the speed limit is 65 miles per hour, and more cars travel Highway 9 than Main Street. He said there have been numerous fatalities at Highway 9 and 120th Avenue where Thunderbird Lake property begins. He said when there is a wreck between 84th Avenue and 156th Avenue, there is no way to detour because the streets do not connect so that a person can easily get back onto Highway 9. He suggested placing directional signage to help citizens navigate around the lake area. He said future Highway 9 widening plans will include bicycle routes making the highway even more dangerous in his opinion. He said there will also be an 80,000 foot health facility across from the Thunderbird Casino, which will create more traffic. He asked Council to urge the Oklahoma Department of Transportation (ODOT) to review traffic problems on Highway 9 to make it safer.

Miscellaneous Discussion, continued:

Councilmember Spaulding asked when the Highway 9 Widening Project was scheduled to begin and the project parameters.

Mr. Shawn O'Leary, Director of Public Works, said the project will be a two phase project. The first phase is 24th Avenue east to 48th Avenue east to begin in late 2013 or early 2014. The second phase is 48th Avenue east to 72nd Avenue east to begin approximately 18 months later. He said there was an extensive analysis of Highway 9 about ten years ago in response to traffic and safety concerns. He said there was a long range plan for Highway 9 going all the way to the City of Tecumseh and ODOT had committed to make improvements beyond 72nd Avenue; however, there is currently no funding for that portion. He said the City always lobbies for that plan to be implemented and will continue to do so.

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Ordinance Amendments. Ms. Ann Gallagher, 1522 East Boyd, said when Council makes amendments to ordinances, they have an advantage over the audience in knowing what sections and articles they are making amendments to, but the audience does not have a clue what is going on. She said making clearer explanations to the public would be very much appreciated.

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Shop Norman. Councilmember Quinn asked everyone to shop Norman.

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Recycling. Councilmember Kovach said as more apartment complex developments come forward to Council, there needs to be more opportunities for providing recycling. He said he would like for the City to work with the development community on how to incorporate a recycle substation into the plans.

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Girl Scouts. Councilmember Dillingham thanked the Girl Scouts for the cookies given to Council.

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Certified Healthy Communities Initiative. Mayor Rosenthal said the City of Norman will receive an award of merit from the Certified Healthy Communities Initiative, which is a statewide initiative to build healthier communities. She said the City of Norman will receive the Award of Excellence and the Norman community is one of eight communities across the State to receive the merit award. The City will also receive a \$50,000 grant from the tobacco settlement fund that will be used to create a walking trail at Eastwood Park, which is adjacent to the new Ronald Reagan Elementary School. She thanked the Parks Department and Norman Regional Hospital for working on the application.

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, Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 11:15 p.m.

ATTEST:

City Clerk

Mayor