

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

July 24, 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 24th day of July, 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 Ezzell, Gallagher, Griffith,  
Jungman, Kovach, Lockett, Spaulding,  
Williams, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF JULY 10, 2012  
CITY COUNCIL MINUTES OF JULY 10, 2012  
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 10, 2012  
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 10, 2012  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 10, 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 Griffith;

Items submitted for the record

1. Text File No. GID-1213-4 dated July 17, 2012, by Brenda Hall, City Clerk
2. City Council Conference minutes of July 10, 2012
3. City Council minutes of July 10, 2012
4. Norman Utilities Authority minutes of July 10, 2012
5. Norman Municipal Authority minutes of July 10, 2012
6. Norman Tax Increment Finance Authority minutes of July 10, 2012

Thereupon, Councilmember Jungman moved that Item 54 in the City Council minutes of July 10, 2012, be amended to include specific comments from the City Attorney made in response to Council's question as to the legality of the exemption from the Water Quality Protection Zone (WQPZ) and the paving improvements, which motion was seconded by Councilmember Griffith:

Participants in discussion

1. Ms. Brenda Hall, City Clerk

and the question being upon amending Item 54 in the City Council minutes of July 10, 2012, to include specific comments from the City Attorney made in response to Council's question as to the legality of the exemption from the WQPZ and the paving improvements, a vote was taken with the following result:

YEAS: Councilmembers Griffith and Jungman

NAYES: Councilmembers Ezzell, Gallagher,  
Kovach, Lockett, Spaulding, Williams,  
Mayor Rosenthal

The Mayor declared the motion failed and Item 54 in the City Council minutes of July 10, 2012, was not amended to include specific comments from the City Attorney made in response to Council's question as to the legality of the exemption from the WQPZ and the paving improvements.

Item 3, continued:

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, Williams, Mayor Rosenthal
NAYES:	Councilmember Jungman

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-1213-2: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING TUESDAY, AUGUST 7, 2012, AS "NATIONAL NIGHT OUT" IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-2 proclaiming Tuesday, August 7, 2012, as "National Night Out" in the City of Norman 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. P-1213-2 dated July 6, 2012, by Sergeant Jennifer Newell, Neighborhood Watch
2. Proclamation No. P-1213-2

Participants in discussion

1. Sergeant Jennifer Newell, Neighborhood Watch and Public Information Officer, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-2 proclaiming Tuesday, August 7, 2012, as "National Night Out" in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1213-2 proclaiming Tuesday, August 7, 2012, as "National Night Out" 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 27 excluding Item 8 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 27 excluding Item 8, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 6 through Item 27 excluding Item 8 were placed on the consent docket by unanimous vote.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1112-44 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 LOTS 38, 39, 40, 41, AND 42, BLOCK 4, STATE UNIVERSITY ADDITION TO NORMAN CLEVELAND COUNTY, OKLAHOMA, IN THE MUD, MIXED USE DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE R-3, MULTI-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF BOYD STREET AND MONNETT AVENUE)

Councilmember Kovach moved that Ordinance No. O-1112-44 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-1112-44 dated May 15, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-44
3. Location map
4. Staff Report dated June 14, 2012, recommending approval
5. MB Real Estate II Concept Design dated April 9, 2012
6. Site plan
7. First floor plan
8. Second floor plan
9. Third floor plan
10. Predevelopment Summary Case No. PD 12-16 dated April 26, 2012, for MB Real Estate II for property located at the northwest corner of Boyd and Monnett
11. Norman Greenbelt Enhancement Statement dated April 9, 2012, for MB Real Estate II for property located at the northwest corner of Monnett and Boyd
12. Protest area map containing 4.76% filed protest within notification area
13. Letter of protest filed June 11, 2012, from James N. Shelton to the City of Norman Planning and Community Development Department
14. Letter of protest filed June 7, 2012, from Valli Marti to City Planning Commission
15. Letter of protest filed June 6, 2012, from Victor and Elizabeth Jackson to Secretary, Norman Planning Commission with attached letter dated April 26, 2012, from Victor and Elizabeth Jackson to City of Norman Department of Planning and Community Development
16. Pertinent excerpts from Planning Commission minutes of June 14, 2012

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon the Introduction and adoption of Ordinance No. O-1112-44 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-44 was Introduced, read, and adopted upon First Reading by title.

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Councilmember Kovach said as a Point of Clarification that it is normally the tradition of Council not to allow public discussion or debate on items on First Reading and should not be appropriate for discussion or public comment by Council as well.

Mayor Rosenthal said she felt discussion was appropriate in this instance because Councilmembers asked about the schedule of ongoing high density discussions and needed clarification on how the first reading item and these discussions would coincide. She agreed that First Reading items are not usually open for debate but this was an important clarification that should be addressed to Council and citizens.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1112-45 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 LOTS 25, 26, AND 27, BLOCK 1, FLOYD ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND REMOVE THE SAME FROM THE R-2, TWO-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (930 ELM AVENUE)

Councilmember Kovach moved that Ordinance No. O-1112-45 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-1112-45 dated May 15, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-45
3. Location map
4. Staff Report dated June 14, 2012, recommending approval
5. Proposed site development plan
6. Site plan
7. Predevelopment Summary Case No. PD 12-14 dated April 26, 2012, for 823 Properties for property located at the northwest corner of Elm Avenue and Hoover Street
8. Protest area map containing 1.91% protest within notification area
9. Letter of protest dated June 7, 2012, from R. Blaine Nice, Fellers Snider, on behalf of Michael Meade, to Ms. Brenda Hall, City Clerk
10. Pertinent excerpts from Planning Commission minutes of June 14, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-45 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1112-45 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1213-4 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE III, SECTION 19-303 OF CHAPTER 19 OF THE CODE OF THE CITY OF NORMAN BY ADDING A PROVISION REGARDING THE PLACEMENT OF DUMPSTER AND/OR COMPACTOR ON PROPERTY ZONED INDUSTRIAL, COMMERCIAL, OFFICE OR MULTI-FAMILY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1213-4 was withdrawn at the request of Staff.

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Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JUNE 30, 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 Griffith;

Items submitted for the record

1. Finance Director's Investment Report of June 30, 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 Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 10, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE, 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 Griffith;

Items submitted for the record

1. Monthly Departmental Reports for the month of June, 2012

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, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 11, being:

CONSIDERATION OF BID NO. 1112-62, CONTRACT NO. K-1213-3 WITH OPES, INC., IN THE AMOUNT OF \$169,269.25; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$13,730.75; PERFORMANCE BOND NO. B-1213-5, STATUTORY BOND NO. B-1213-6, MAINTENANCE BOND NO. MB-1213-3, AND RESOLUTION NO. R-1213-3 FOR FYE 2013 CONCRETE PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$169,269.25 be awarded to OPES, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-3, Change Order No. One increasing the contract amount by \$13,730.35, 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-1213-3 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 11, continued:

Items submitted for the record

1. Text File No. K-1213-3 dated July 9, 2012, by Jack Burdett, Engineering Assistant
2. Bid List dated June 28, 2012, for the FYE 2013 Concrete Projects
3. Table 1, FYE 2013 Concrete Projects, and Table 2, FYE 2012 Concrete Projects Budget
4. Contract No. K-1213-3
5. Change Order No. One to Contract No. K-1213-3
6. Performance Bond No. B-1213-5
7. Statutory Bond No. B-1213-6
8. Maintenance Bond No. MB-1213-3
9. Resolution No. R-1213-3
10. Purchase Requisition No. 0000204033 dated July 10, 2012, in the amount of \$183,000 to OPES, 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, directive, authorization, and adoption, a vote was taken with the following result:

YEAS:

Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$169,269.25 was awarded to OPES, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-3, Change Order No. One increasing the contract amount by \$13,730.75, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order were authorized; the filing of the bonds was directed; and Resolution No. R-1213-3 was adopted.

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Item 12, being:

CONSIDERATION OF BID NO. 1213-1; CONTRACT NO. K-1213-1 WITH NASH CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$1,335,307; PERFORMANCE BOND NO. B-1213-1; STATUTORY BOND NO. B-1213-2; MAINTENANCE BOND NO. MB-1213-1; AND RESOLUTION NO. R-1213-1 FOR THE 2013 URBAN ASPHALT PAVEMENT REHABILITATION BOND PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$1,335,307 be awarded to Nash Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-1, 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-1213-1 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-1 dated June 29, 2012, by Greg Hall, Street Superintendent
2. Tabulation of bids dated June 14, 2012, for Urban Asphalt Pavement Rehabilitation, FYE 2013 Locations
3. Urban Asphalt Pavement Rehabilitation, FYE 2013 Locations
4. Contract No. K-1213-1
5. Performance Bond No. B-1213-1
6. Statutory Bond No. B-1213-2
7. Maintenance Bond No. MB-1213-1
8. Resolution No. R-1213-1
9. Location map
10. Purchase Requisition No. 0000203925 dated July 5, 2012, in the amount of \$1,335,307 to Nash Construction Company, Inc.

Item 12, continued:

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

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$1,335,307 was awarded to Nash Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-1 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-1213-1 was adopted.

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Item 13, being:

CONSIDERATION OF BID NO. 1213-2; CONTRACT NO. K-1213-2 WITH RDNJ, INC., D/B/A A-TECH PAVING IN THE AMOUNT OF \$481,460.25; PERFORMANCE BOND NO. B-1213-3; STATUTORY BOND NO. B-1213-4, MAINTENANCE BOND NO. MB-1213-2, AND RESOLUTION NO. R-1213-2 FOR THE 2013 URBAN CONCRETE PAVEMENT REHABILITATION BOND PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$481,460.25 be awarded to RDNJ, Inc., d/b/a A-Tech Paving as the lowest and best bidder meeting specifications; Contract No. K-1213-2, 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-1213-2 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-21 dated June 29, 2012, by Greg Hall, Street Superintendent
2. Tabulation of bids dated June 14, 2012, for Urban Concrete Pavement Rehabilitation, FYE 2013 Locations
3. Urban Concrete Pavement Rehabilitation, FYE 2013 Locations
4. Contract No. K-1213-2
5. Performance Bond No. B-1213-3
6. Statutory Bond No. B-1213-4
7. Maintenance Bond No. MB-1213-2
8. Resolution No. R-1213-2
9. Location map
10. Purchase Requisition No. 0000203910 dated July 3, 2012, in the amount of \$481,460.25 to RDNJ, Inc.

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

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$481,460.25 was awarded to RDNJ, Inc., d/b/a A-Tech Paving as the lowest and best bidder meeting specifications; Contract No. K-1213-2 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-1213-2 was adopted.

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Item 14, being:

CONSIDERATION OF GRANTING EASEMENT NO. E-1213-3 TO OKLAHOMA GAS & ELECTRIC COMPANY (OG&E) FOR SERVICE TO THE WATER RECLAMATION FACILITY (WRF).

Councilmember Kovach moved that Easement No. E-1213-3 be granted and the execution thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1213-3 dated June 29, 2012, by Charlie Thomas, Capital Projects Engineer
2. Easement No. E-1213-3 with Exhibit "A," legal description, and Exhibit "B," location map

and the question being upon granting Easement No. E-1213-3 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement No. E-1213-3 granted; and the execution thereof was directed.

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Item 15, being:

CONSIDERATION OF EASEMENT NO. E-1213-5, A PUBLIC UTILITY EASEMENT DONATED BY SHAZ INVESTMENT GROUP, LLC FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.

Councilmember Kovach moved that Easement No. E-1213-5 be accepted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1213-5 dated July 13, 2012, by Charlie Thomas, Capital Projects Engineer
2. Easement No. E-1213-5 with legal description and location map

and the question being upon accepting Easement No. E-1213-5 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement No. E-1213-5 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 16, being:

CONSIDERATION OF TEMPORARY EASEMENT NO. E-1213-6, A TEMPORARY CONSTRUCTION EASEMENT DONATED BY SHAZ INVESTMENT GROUP, L.L.C., FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.

Councilmember Kovach moved that Easement No. E-1213-6 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Item 16, continued:

Items submitted for the record

1. Text File No. E-1213-6 dated July 17, 2012, by Charlie Thomas, Capital Projects Engineer
2. Easement No. E-1213-6 with legal description and location map

and the question being upon accepting Easement No. E-1213-6 and upon the subsequent directive and transfer, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement No. E-1213-6 accepted; and the filing thereof with the City Clerk was directed.

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Item 17, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK ADDITION, SECTION IX, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 3, BLOCK 2; AND A PORTION OF PARKLAND OF A REPLAT OF LOT 1, BLOCK 2, UNIVERSITY NORTH PARK ADDITION, SECTION 1; AND A REPLAT OF A PORTION OF LOT 1, BLOCK 1, OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION IV, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF THE PUBLIC DEDICATIONS CONTAINED THEREIN. (LEGACY PARK - GENERALLY LOCATED ON THE WEST SIDE OF 24TH AVENUE N.W. AT LEGACY PARK DRIVE)

Councilmember Kovach moved that the final site development plan and final plat for University North Park Addition, Section IX, 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-1213-1 dated June 12, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Staff Report dated July 12, 2012, recommending approval
4. Final plat
5. Final site development plan
6. revised preliminary plat
7. Pertinent excerpts from Planning Commission minutes of July 12, 2012

Participants in discussion

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

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

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the final site development plan and final plat for University North Park Addition, Section IX, 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 was directed.

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Item 18, being:

LIMITED LICENSE NO. LL-1213-1: LIMITED LICENSE TO PLACE THREE (3) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY YMCA FOR THE 11TH ANNUAL TIE-DYE TRI ON SEPTEMBER 16, 2012.

Councilmember Kovach moved that Limited License No. LL-1213-1 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. LL-1213-1 dated July 17, 2012, from Wayne Stenis, Planner II
2. Application for Limited License for three banners from the Cleveland County YMCA
3. Limited License No. LL-1213-1

and the question being upon approving Limited License No. LL-1213-1 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Limited License No. LL-1213-1 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA approved; and the issuance thereof was authorized.

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Item 19, being:

SPECIAL CLAIM NO. SC-1213-2: A CLAIM IN THE AMOUNT OF \$7,504.38 SUBMITTED BY SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA FOR DAMAGES INCURRED TO A FIBER OPTIC CABLE AT 36TH AVENUE N.W. AND STERLING STREET N.W. DURING A DRAINAGE MAINTENANCE PROJECT.

Councilmember Kovach moved that Special Claim No. SC-1213-1 be approved and payment in the amount of \$7,504.38 be directed contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. SC-1213-1 dated July 10, 2012 by Jeanne Snider, Assistant City Attorney
2. Memorandum dated December 5, 2012, from Brenda Hall, City Clerk, to Shawn O'Leary, Director of Public Works, and Jeff Bryant, City Attorney
3. Special Claim No. SC-1213-1 filed December 5, 2012, by Southwestern Bell Telephone Company d/b/a AT&T Oklahoma in the amount of \$7,504.38

Participants in discussion

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

and the question being upon approving Special Claim No. SC-1213-1 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Special Claim No. SC-1213-1 approved; and payment in the amount of \$7,504.38 was directed contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma.

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Item 20, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0910-185: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) EXTENDING THE CONTRACT UNTIL JUNE 30, 2013, FOR PHASE 2 OF THE CANADIAN RIVER WASTELOAD ALLOCATION STUDY.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Two to Contract No. K-0910-185 with ACOG 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-0910-185, Amendment No. Two, dated July 9, 2012, by Charlie Thomas, Capital Projects Engineer
2. Amendment No. Two to Contract No. K-0910-185
3. Contract No. K-0910-185

and the question being upon approving Amendment No. Two to Contract No. K-0910-185 with ACOG and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Amendment No. Two to Contract No. K-0910-185 with ACOG approved; and the execution thereof was authorized.

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Item 21, being:

CONTRACT NO. K-1213-31: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA TO PROVIDE A DISPUTE MEDIATION PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2013.

Councilmember Kovach moved that Contract No. K-1213-31 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2013, 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-1213-31 dated July 17, 2012, by Jeanne Snider, Assistant City Attorney
2. Contract No. K-1213-31

and the question being upon approving Contract No. K-1213-31 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2013, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-31 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2013, approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 22, being:

CONTRACT NO. K-1213-37: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND THE BOARD OF CLEVELAND COUNTY COMMISSIONERS, CLEVELAND COUNTY, OKLAHOMA, FOR A COOPERATIVE INTERLOCAL AGREEMENT FOR THE MAINTENANCE, CONSTRUCTION, AND REPAIR OF SECTION LINE ROADS WITHIN THE CITY OF NORMAN THROUGH JUNE 30, 2013.

Councilmember Kovach moved that Contract No. K-1213-37 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2013, 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-1213-37 dated June 29, 2012, by Greg Hall, Streets Superintendent
2. Contract No. K-1213-37

and the question being upon approving Contract No. K-1213-37 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2013, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-37 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2013, approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 23, being:

CONTRACT NO. K-1213-38: A RIGHT-OF-WAY, PUBLIC UTILITY AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF \$25,196.50 FOR STATE AID PROJECT NO. SSP-114A (099)SS, STATE JOB NO. 20266(04)(05)(06) FOR THE RELOCATION OF UTILITIES ON STATE HIGHWAY 9 FROM 24TH AVENUE S.E. TO 36TH AVENUE S.E. AND ADOPTION OF RESOLUTION NO. R-1213-20.

Councilmember Kovach moved that Contract No. K-1213-38 with ODOT be approved, Resolution No. R-1213-20 be adopted, and the 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-1213-38 dated July 9, 2012, by Scott Sturtz, City Engineer
2. Contract No. K-1213-38
3. Resolution No. R-1213-20
4. Location map
5. Purchase Requisition No. 0000204258 dated July 13, 2012, in the amount of \$25,197 to the Oklahoma Department of Transportation

Participants in discussion

1. Mr. Bobby Stevens, Post Office Box 6226, asked questions
2. Mr. Shawn O'Leary, Director of Public Works
3. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon approving Contract No. K-1213-38 with ODOT and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-38 with ODOT approved; Resolution No. R-1213-20 was adopted and the execution of the contract and resolution was authorized.

\* \* \* \* \*

Item 24, being:

CONTRACT NO. K-1213-39: A RIGHT-OF-WAY, PUBLIC UTILITY AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF \$36,168.10 FOR STATE AID PROJECT NO. SSP-114B (108)SS, STATE JOB NO. 20266(07)(08)(09) FOR THE RELOCATION OF UTILITIES ON STATE HIGHWAY 9 FROM 36TH AVENUE S.E. TO 72ND AVENUE S.E. AND ADOPTION OF RESOLUTION NO. R-1213-21.

Councilmember Kovach moved that Contract No. K-1213-39 with ODOT be approved, Resolution No. R-1213-21 be adopted, and the 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-1213-39 dated July 10, 2012, by Scott Sturtz, City Engineer
2. Contract No. K-1213-39
3. Resolution No. R-1213-21
4. Location map
5. Purchase Requisition No. 0000204275 dated July 16, 2012, in the amount of \$36,169 to the Oklahoma Department of Transportation

Participants in discussion

1. Mr. Bobby Stevens, Post Office Box 6226, asked questions
2. Mr. Shawn O'Leary, Director of Public Works
3. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon approving Contract No. K-1213-39 with ODOT and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-39 with ODOT approved; Resolution No. R-1213-21 was adopted and the execution of the contract and resolution was authorized.

\* \* \* \* \*

Item 25, being:

CONTRACT NO. K-1213-41: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE 89ER DAY PARADE COMMITTEE IN THE AMOUNT OF \$5,000 FOR COSTS ASSOCIATED WITH THE 89ER DAY PARADE TO BE HELD IN APRIL 2013.

Councilmember Kovach moved that Contract No. K-1213-41 with the 89er Day Parade Committee in the amount of \$5,000 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-1213-41 dated July 3, 2012, by Clint Mercer, Chief Accountant
2. Contract No. K-1213-41 with Exhibit A, letter of request dated February 3, 2012, from Charles R. Hollingsworth, Co-Chair 89er Day Parade Committee, to Mayor Cindy Rosenthal
3. Pertinent excerpts from Finance Committee minutes of February 15, 2012
4. Purchase Requisition No. 0000204322 dated July 16, 2012, in the amount of \$5,000 to 89er Day Parade Committee

and the question being upon approving Contract No. K-1213-41 with the 89er Day Parade Committee in the amount of \$5,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-41 with the 89er Day Parade Committee in the amount of \$5,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 26, being:

CONTRACT NO. K-1213-42: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE FIREHOUSE ART CENTER, INC., IN THE AMOUNT OF \$60,000 FOR THE OPERATION OF THE FIREHOUSE ART CENTER LOCATED AT 444 SOUTH FLOOD AVENUE.

Councilmember Kovach moved that Contract No. K-1213-42 with the Firehouse Art Center in the amount of \$60,000 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-1213-42 dated July 3, 2012, by Clint Mercer, Chief Accountant
2. Contract No. K-1213-42
3. Pertinent excerpts from Finance Committee minutes of February 15, 2012

and the question being upon approving Contract No. K-1213-42 with the Firehouse Art Center in the amount of \$60,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-42 with the Firehouse Art Center in the amount of \$60,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 27, being:

CONTRACT K-1213-43: CONSIDERATION OF A REQUEST FOR FUNDING FROM THE PERFORMING ARTS STUDIO AND APPROVAL OF CONTRACT NO. K-1213-43 IN THE AMOUNT OF \$3,000.

Councilmember Kovach moved that Contract No. K-1213-43 with the Performing Arts Studio in the amount of \$3,000 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-1213-43 dated July 3, 2012, by Clint Mercer, Chief Accountant
2. Contract No. K-1213-43 with Exhibit A, Report to City of Norman Finance Committee dated February 15, 2012, by Rick Fry, Executive Director
3. Pertinent excerpts from Finance Committee minutes of February 15, 2012
4. Purchase Requisition No. 0000204320 dated July 16, 2012, in the amount of \$3,000 to Performing Arts Studio

and the question being upon approving Contract No. K-1213-43 with the Performing Arts Studio in the amount of \$3,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1213-41 with the Performing Arts Studio in the amount of \$3,000 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 28, being:

PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF \$13,636 TO THE CITY OF NORMAN AND CLEVELAND COUNTY FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF \$11,636 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR TRAINING AND TO PURCHASE EQUIPMENT, APPROVAL OF CONTRACT NO. K-1213-46, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a public hearing be conducted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-46 dated July 5, 2013, by Jim Spearman, Grants Manager
2. Letter dated June 29, 2013, from Denise O'Donnell, Director, Office for Justice Programs, Bureau of Justice Assistance, United States Department of Justice, to the Honorable Cindy Rosenthal, City of Norman
3. Contract No. K-1213-46, grant award in the amount of \$13,636 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance

and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. Jim Maisano, Deputy Police Chief

Thereupon, Councilmember Kovach moved that the public hearing be closed, which motion was duly seconded by Councilmember Griffith; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Griffith moved that a grant in the amount of \$13,636 from DOJ/BJA through the JAG Program to be used by the Police Department be accepted; Contract No. K-1213-46 be approved; the execution thereof be authorized; Other Revenue/JAG Grant (022-0000-331.13-33) be increased by \$13,636; \$13,636 be appropriated into Project No. GP0016, JAG Grant designating \$6,436 to Professional Services/Workshops and Seminars (022-6017-421.51-16); \$2,700 to Telecommunication Equipment/Personal Computer (022-6017-421.53-02); and \$2,000 to Miscellaneous Pass-Thru Refunds (022-6016-421.47-54); and payment in the amount of \$2,000 be directed to Cleveland County upon receipt of invoices, which motion was duly seconded by Councilmember Kovach; and the question being upon accepting a grant in the amount of \$13,636 from DOJ/BJA through the JAG Program to be used by the Police Department and upon the subsequent approval, authorization, increase, appropriation, and directive, a vote was taken with the following result:

Item 28, continued:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

Item 28, continued:

The Mayor declared the motion carried and a grant in the amount of \$13,636 from DOJ/BJA through the JAG Program to be used by the Police Department accepted; Contract No. K-1213-46 was approved; the execution thereof was authorized; Other Revenue/JAG Grant (022-0000-331.13-33) was increased by \$13,636; \$13,636 was appropriated into Project No. GP0016, JAG Grant designating \$6,436 to Professional Services/Workshops and Seminars (022-6017-421.46-04), \$2,500 to Plant and Operating Equipment/Firearms (022-6017-421.51-16), \$2,700 to Telecommunication Equipment/Personal Computer (022-6017-421.53-02), and \$2,000 to Miscellaneous Pass-Thru Refunds (022-6016-421.47-54); and payment in the amount of \$2,000 was directed to Cleveland County upon receipt of invoices.

\* \* \* \* \*

Item 29, being:

RESOLUTION NO. R-1112-144: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONDEMNING THE HEREINAFTER-DESCRIBED PREMISES AS A NUISANCE; AND PROVIDING FOR NOTICE AND HEARING THEREOF (GARAGE AT 503 WEST DAWS STREET)

Councilmember Kovach moved that Resolution No. R-1112-144 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-144 dated June 13, 2012, by Linda Price, Revitalization Manager
2. Summary of 503 West Daws
3. Memorandum dated March 19, 2012, from Keith A. Petillo, Rehabilitation Specialist, to Linda R. Price, Revitalization Manager
4. Resolution No. R-1112-144
5. Photographs of 503 West Daws Street as of June 12, 2012
6. Photographs of 503 West Daws Street as of July 12, 2012

Participants in discussion

1. Ms. Linda Price, Revitalization Manager
2. Mr. Jeff Bryant, City Attorney
3. Mr. Thomas Endicott, 503 West Daws Street, property owner

Thereupon, Councilmember Kovach moved that Resolution No. R-1112-144 be postponed until August 28, 2012, which motion was seconded by Councilmember Spaulding; and the question being upon postponing Resolution No. R-1112-144 until August 28, 2012, a vote was taken with the following result:

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution No. R-1112-144 was postponed until August 28, 2012.

\* \* \* \* \*

Item 30, being:

ORDINANCE NO. O-1112-37: 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 SOUTHWEST QUARTER OF SECTION 16, 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 RE, RESIDENTIAL ESTATES DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. AT COBBLESTONE CREEK DRIVE).

Ordinance No. O-1112-37 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 10, 2012, Councilmember Kovach moved that Ordinance No. O-1112-37 be postponed until August 14, 2012, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-37 dated April 17, 2012, by Jane Hudson, Current Planning Manager
2. Email requesting postponement dated July 16, 2012, from Tom McCaleb to Ellen Usry
3. Ordinance No. O-1112-37
4. Location map
5. Cobblestone Creek PUD Narrative submitted April 9, 2012 and revised May 3 and May 14, 2012, by Tim Shannon, Owner/Operator of CCDG, L.L.C.
6. Preliminary plat
7. Preliminary site development plan
8. Staff Report dated June 14, 2012, recommending approval
9. Protest area map
10. Letter of protest filed June 8, 2012, from Thomas and Janice Meeker to the City of Norman, City Clerk
11. Letter of support filed April 25, 2012, from Stephen Rogers to Norman Planning Commission
12. Pertinent excerpts from Planning Commission meeting of June 14, 2012

and the question being upon postponing Ordinance No. O-1112-37 until August 14, 2012, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-37 was postponed until August 14, 2012.

\* \* \* \* \*

Item 31, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR COBBLESTONE CREEK ADDITION, (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. ONE-HALF MILE SOUTH OF CEDAR LANE ROAD)

Councilmember Kovach moved that the preliminary plat for Cobblestone Creek Addition be postponed until August 14, 2012, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. PP-1112-15 dated April 17, 2012, by Ken Danner, Subdivision Manager, with Attachment A, Traffic Table
2. Email requesting postponement dated July 16, 2012, from Tom McCaleb to Ellen Usry
3. Location map
4. Staff Report dated June 14, 2012, recommending approval
5. Preliminary plat
6. Preliminary site development plan
7. Transportation Impacts Development Review Form dated May 17, 2012, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
8. Pertinent excerpts from Planning Commission minutes of June 12, 2012

and the question being upon postponing the preliminary plat for Cobblestone Creek Addition until August 14, 2012, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the preliminary plat for Cobblestone Creek Addition was postponed until August 14, 2012.

\* \* \* \* \*

Item 32, being:

ORDINANCE NO. O-1112-41: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A SCHOOL ON PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, AND PROVIDING FOR THE SEVERABILITY THEREOF. (3106 BROCE DRIVE)

Ordinance No. O-1112-41 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 10, 2012, Councilmember Griffith moved that Ordinance No. O-1112-41 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. O-1112-41 dated May 15, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-41
3. Location map
4. Staff Report dated June 14, 2012, recommending approval
5. Site development plan
6. Community Christian School layout plan
7. City of Norman Predevelopment Summary Case No. PD 12-10 dated April 26, 2012, for Community Christian School for property located on the south side of Broce Drive just east of North Interstate Drive
8. Protest area map
9. Letter of protest filed May 29, 2012, from Gail Armstrong, President, CAA Development Corporation, to City of Norman, City Clerk
10. Pertinent excerpts from Planning Commission minutes of June 14, 2012

Participants in discussion

1. Mr. Tim Johnson, 1 East California, Oklahoma City, engineer representing the applicant

Item 32, continued:

and the question being upon adopting Ordinance No. O-1112-41 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-41 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-41 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1112-41 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-41 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 33, being:

ORDINANCE NO. O-1112-42: 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 28, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE A-2, RURAL AGRICULTURAL DISTRICT, AND REMOVE THE SAME FROM THE A-1, GENERAL AGRICULTURAL DISTRICT, OF SAID CITY; AND TO GRANT SPECIAL USE FOR A RIDING ACADEMY AND PUBLIC STABLE ON SAID PROPERTY TO BE ZONED A-2, RURAL AGRICULTURAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (8809 ALAMEDA DRIVE)

Ordinance No. O-1112-42 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 10, 2012, Councilmember Griffith moved that Ordinance No. O-1112-42 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. O-1112-42 dated May 15, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-42
3. Location map
4. Staff Report dated June 14, 2012, recommending approval
5. Site plan
6. City of Norman Predevelopment Summary Case No. PD 12-05 dated March 22, 2012, for Jennifer Ladd for property located at 8809 Alameda Drive
7. Protest area map
8. Letter dated June 11, 2012, from Stephen and JoAnita Weichbrodt to Norman Planning Commission Secretary
9. Letter dated May 24, 2012, from Jeff Tompkins, Supervisor, Land Resources Group, United States Department of Interior Bureau of Reclamation, to Mr. Andy Sherrer, Chairman, Norman Planning Commission
10. Pertinent excerpts from Planning Commission minutes of June 14, 2012

Participants in discussion

1. Mr. Ben Odom, 2350 McKown Drive, attorney representing the applicant
2. Ms. Jennifer Ladd, 8809 Alameda Drive, applicant

Item 33, continued:

and the question being upon adopting Ordinance No. O-1112-42 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-42 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-42 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1112-42 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-42 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 34, being:

ORDINANCE NO. O-1112-43: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN CLEVELAND COUNTY, OKLAHOMA, IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

Ordinance No. O-1112-43 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 10, 2012, Councilmember Kovach moved that Ordinance No. O-1112-43 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-1112-43 dated May 15, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-43
3. Location map
4. Staff Report dated June 14, 2012, recommending approval
5. Brookhaven PUD Addition Design Statement and PUD Report dated May 14, 2012, and revised May 29, 2012, prepared by Clour Planning & Engineering Services
6. Preliminary Site Development Plan
7. Pertinent excerpts from Planning Commission minutes of June 14, 2012

Participants in discussion

1. Mr. David Hargis, Clour Engineering and Planning Services, 408 Bannister Court, engineer representing the applicant
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
3. Ms. Susan Connors, Director of Planning and Community Development

Item 34, continued:

and the question being upon adopting Ordinance No. O-1112-43 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-43 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-43 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1112-43 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-43 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 35, being:

CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR BROOKHAVEN NO. 41 ADDITION. (GENERALLY LOCATED SOUTH AND WEST OF THE INTERSECTION OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

Councilmember Kovach moved that the revised preliminary plat for Brookhaven No. 41 Addition be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. PP-1112-19 dated May 15, 2012, by Ken Danner, Subdivision Manager, with Attachment A, Traffic Table
2. Location map
3. Revised preliminary plat
4. Preliminary site development plan
5. Commercial site plan
6. Staff Report dated June 14, 2012, recommending approval
7. Transportation Impacts Development Review Form dated May 17, 2012, submitted by David R. Riesland, P.E., Assistant City Traffic Engineer
8. Predevelopment Summary Case No. PD 12-19 dated May 10, 2012, submitted by Cies, L.L.C., for property generally located on the west side of 36th Avenue N.W. and South of Rock Creek Road.
9. Greenbelt Enhancement Statement dated May 7, 2012, submitted by Cies, L.L.C., for Brookhaven No. 41 Revised Preliminary Plat
10. Pertinent excerpts from Planning Commission minutes of June 14, 2012

and the question being upon approving the preliminary plat for Brookhaven No. 41 Addition, a vote was taken with the following result:

YEAS: Councilmembers Ezzell, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the preliminary plat for Brookhaven No. 41 Addition was approved.

\* \* \* \* \*

## MISCELLANEOUS DISCUSSION

Legislative Minutes. Ms. Joy Hampton, Norman Transcript, 225 North Webster Avenue, asked if there were specific guidelines that set out what legislative summary is and what it excludes.

Ms. Brenda Hall, City Clerk, explained that the guidelines are established in the Open Meeting Act set out in State Statute which the City is required to follow and Robert's Rules of Order which as been adopted by City Council as part of their operating procedures. The Open Meeting Act requires that the minutes include those members of the public body in attendance and those absent, the items being considered by Council, and the vote on the items be listed. She said under Roberts Rules, it is required to list the participants in discussion and their names and addresses. She said the term "legislative" means showing the legislative action of the body. Ms. Hampton asked if this meant it was a matter of discretion. Ms. Hall said yes, if the public body chooses to add more, they can do so at their discretion. Ms. Hampton asked if more could be added without going to a verbatim report.

Mr. Jeff Bryant, City Attorney, said the minutes are adopted by the body so the body has some discretion on what they want the minutes to contain as long as they contain those basic elements required by the Open Meeting Act and Robert's Rules. He said from Council's discussion they may want to talk about this at another meeting to see what they want to add or change. He said Norman is a little unique in the extent of the records kept on a regular basis that do provide the opportunity for anyone to watch a full video of a public meeting or listen to the entire audio version or to have that transcribed if they wish.

Ms. Hampton asked why a few sentences could not be added at someone's request rather than asking the public to watch a very long meeting to hear those comments.

Mr. Evan Dunn, 1014 Missouri Street, said he agreed with this and since Council had made a decision for an unusual exemption that ran contrary to legal advice, adding a few lines of text would not be inappropriate.

Mr. Steve Ellis, 633 Reed Avenue, said it is possible to have minutes that are both brief and informative about the issues that are raised. He said the actual meeting was over 4 hours long and it would be helpful if the discussion in the minutes were time stamped in the video so people could watch the relevant information in the video.

Councilmember Kovach said he did not think the issue was whether or not something can be put into the minutes but that it should not be placed there selectively. He said it was a great idea to have summary minutes and he is in favor of this and possibly this could be discussed in retreat. He said the issue was to take one item and add one or two sentences into the minutes without prior discussion about what other changes should be made to the rest of the minutes.

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Attracting Businesses to Norman. Mr. Evan Dunn, 1014 Missouri Street, said simply because a business is small does not make it a good business but smart businesses end up being good because they have well-crafted business plans, perform their due diligence, and analyze and manage risk well. He said there are 500+ degrees at the University of Oklahoma in engineering, petroleum engineering, and computer science and the majority of these types of degrees go to work out of state. He suggested ways to attract businesses to Norman such as adding a bicycle/walking trail to Lake Thunderbird, a downtown Farmers' Market where local farmers could rent parking spaces from businesses. He suggested Council look at the design of the downtown area of Lawrence, Kansas, which allows parking to be maximized and trees are planted that do not impede pedestrian activity.

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Fertilizer Education. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, suggested the City website and Channel 20 contain information to citizens about what the fertilizers they are buying contain. She said there are numbers on the bag of fertilizer that tell what is in the fertilizer. The nitrogen in fertilizer is what makes the grass green and that is listed on the bag as the first number but the second number should be a zero unless it is a new lawn. She said this is important because the runoff from lawns goes into Lake Thunderbird and this is about trying to keep Lake Thunderbird in the best condition possible.

Councilmember Williams thanked the Norman Transcript for printing an article about Fertilization. He said he had been asked by constituents when this will be on the website and feels like the issue needs to be addressed.

Miscellaneous Discussion, continued:

Fertilizer Education, continued. Mr. Steve Lewis, City Manager, said there is an informational brochure on the correct use of fertilizers on the website listed in the section "Green Norman". He said he would move this to a more prominent place on the website to make it easier for citizens to find.

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Norman Economic Development Authority (NEDA). Ms. Jacy Crosbie, 204 Mountain Oaks Drive, said in the 1980's she lived in California in a University town of 50,000 people and most residents commuted to San Francisco. She said there was no big industry in town but Hewlett Packard decided to build a plant in town and the City was excited and the voters voted for it. She said the building was built and the business brought in lots of jobs and all was good for a while. She said then Hewlett Packard left and left the building empty. She said there are no guarantees that any business will stay. She said she agreed with others that now the City has NEDA, we shouldn't use it.. She said this item was to be discussed at the Business and Community Affairs Meeting but the audience was not allowed to speak. She said then it was put back on the agenda and no one was allowed to speak again before the vote. She said she was very disappointed and hoped it would not happen again.

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Non-Consent Items. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, suggested putting non-consent items first on the agenda then everyone can talk about these items and then the consent items would be considered.

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Milligan Addition Final Plat. Mr. Steve Ellis, 633 Reed Avenue, asked if any of the Council had considered further the legality of exemptions granted to Milligan Trucking Company in City Council's meeting of July 10, 2012. He asked if Section 19-601 was the correct legal authority for the current judgment about the legality of City Council action.

Mr. Andrew Blunck, 1638 Cruce Street, asked for more information about this item and for the definition of a plat.

Mayor Rosenthal said this item was a request by the applicant for an exemption from two provisions of the zoning ordinance, one related to water quality and the other was for street improvements costs. She said a plat is a physical drawing of a development in detail in accordance with subdivision regulations.

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Street Projects and Traffic Congestion. Mr. Bobby Stevens, Post Office Box 6226, said he was glad the two items were approved tonight regarding the widening of Highway 9 from 24th Avenue S.E. to 36th Avenue S.E. and then from 36th Avenue S.E. to 72nd Avenue S.E. He said a bond issue was coming forward soon about the widening of Cedar Lane which also needs to be done. He asked if all of these projects would start at the same time because that would really create a traffic issue.

Ms. Ann Gallagher, 1522 East Boyd Street, said she agreed because all the roads on her way to work are presently under construction.

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Item 6, Ordinance No. O-1112-44 and High Density. Ms. Ann Gallagher, 1522 East Boyd Street, said although this ordinance was on First Reading this evening, there were some things to take into consideration before it comes back to Council on Second Reading. She said High Density discussions are ongoing and mixed used development has been included in these discussions. She said she contacted a member of the Planning Commission about her concerns with the suggestion that these types of items wait until after the public discussion was completed. She said although the Planning Commissioner agreed with her, the item was sent forward. She said the open space in this project is not on the ground level. She said the projection is that when these businesses are open, residents will be gone so that parking spaces will be available. She said this is a multi-use building and everyone is encouraged to be pedestrian friendly so the residents might not use their cars during the day. She said the balconies on the north side had been taken off the plan but there are still windows on the north side which look down upon the neighbors who have been there for many years. She said the project is out of scale and does not fit with the neighborhood. She said a Mixed Use Development has a zero setback which can come all the way up to the sidewalk. She said she does not know why all of this cannot wait until the High Density discussions are finished on August 30th.

Miscellaneous Discussion, continued:

Item 6, Ordinance No. O-1112-44 and High Density, continued. Mr. John Hyde, 725 Dakota Street, said he had been attending the High Density meetings and it offended him that Council would approve some zoning items that are medium density because the same issues exist, for example, handicapped parking. He asked Council to slow down so it would done right. He said these discussions are placing definitions on High Density and Medium Density. He said Council is asking the public to help work on these issues and asked them to listen to the committee.

Ms. Cindy Rogers, 633 Reed Avenue, said this is putting the cart before the horse. She said there is a place for High Density and Medium Density because they can be very useful for reducing sprawl. It makes sense to put these types of developments in areas near the University but it has to be done right. She said making this type of decision makes people suspicious and that is not what anyone wants. She urged Council to hold off on this item until the discussions are completed. She said adequate parking needs to be addressed because these residents will bring their cars. She said getting to the university without additional traffic issues is important and there are also environmental concerns.

Councilmember Kovach said he had made a motion to postpone the original High Density item with the idea of having a series of community dialogues and allowing for Council discussion about the feedback. He said Ms. Susan Connors, Director of Planning and Community Development, did explain that the applicants have a legal right to move something forward. He said Council has the right to either reject, approve, or postpone the item. He said he thought Council had taken a good direction by having the discussions and agrees with the public that it might be considered foolhardy to have these discussions which are not finished and vote on a similar item before they are done. He asked the public to understand that this is not Staff or Council but any applicant has the legal right to ask something to come forward. He said he is sure Council will make a prudent decision.

Councilmember Ezzell said he will no longer be on Council when this item comes forward for Second Reading and encouraged his colleagues to look at the parking issues. He said there are 31 units with 28 parking spaces that can only be accessed by the residents with eight open spaces for 5,400 square feet of retail. He said there are three businesses in the building next door with 28 parking spaces and those parking spaces are always full. He said he cannot see how that project in its current density with that number of parking spaces is going to work. He said the only way he can see to address the issue is a reduction in density.

Councilmember Jungman said this item has 13 units on less than one-half acre which exceeds RM-6, Multi-Family Dwelling District.

Councilmember Ezzell said he misread the information and Councilmember Jungman is correct. He apologized and retracted his prior statement. He said he has no problem with 28 parking spaces for 13 units.

Mr. Steve Lewis, City Manager, said the fourth meeting of a total of six meetings on High Density will be Thursday, July 26th at 6:30 p.m. at Norman High School. He said there have been different topics at each meeting and the topic for Thursday's meeting is Parking, Traffic, and Infrastructure. He said anyone who wants to follow these meetings and join the process now is welcome to come. He said the website contains a history of what has happened at every meeting.

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Ward 3 Vacancy. Mr. Benjamin Carter, 800 Bass Court, said as a citizen of Ward 3 and one of the current applicants of the vacant Council seat, he was requesting Council forego the Ward 3 application process and instead give citizens and taxpayers of Ward 3 the right to vote for whom they believe represents their best interests. He said he felt there were many flaws in the application process and it does not allow the citizens of Ward 3 a chance of fair representation. He said no one on Council resides in Ward 3, yet Council is deciding who represents the people of Ward 3 and what issues are important to them. He said the application requires that the individual applying for the vacancy produce and submit information that exceeds what is actually in the City Charter. He said Article II, Section 10(A) of the Charter states the qualifications for being a member of City Council and educational background, a list of civic activities, and a specific reason for wanting to be on Council are not listed. Furthermore, no one on Council was required to supply this information when applying to be a candidate for their own Council position. In Article II, Section 22, Council is allowed to request the extra criteria. He said he believes the Open Meeting Act may have been violated when an individual was suggested as a replacement to the resigning member via email to existing Councilmembers. He said this creates an unfair advantage and makes the seat more about who you know than who is right for the people. He said this is not for the Council to decide. He said an argument has been made that an election will cost the citizens thousands of dollars and the process will have to be repeated in the spring. He suggested placing the Ward 3 Applicants on the August 28th ballot, then a vote can be obtained at little or no extra cost to the taxpayer.

Miscellaneous Discussion, continued:

Ward Three Vacancy, continued. Mr. Stephen Tyler Holman, 1030 South College Avenue, said he supported an election in Ward 3 on August 28th.

Ms. Cindy Rogers, 633 Reed Avenue, said she agreed with Mr. Carter.

Ms. Brenda Hall, City Clerk, said any time an election was shared with a state or federal election, under State Statute, a 75-day notice to the Cleveland County Election Board is required. She said an ordinance must be adopted by City Council which would require both First and Second Readings which typically does not take place on the same meeting. The notice would start on the day of approval of Second Reading. She said the City could not meet the timeframe to add something to the August 28th election.

Councilmember Ezzell said since an election is not a possibility and there is no way to reconcile, the next actual election to be held will be the normal Council elections in March that will have a filing period in January. He said he thinks this Council is strictly following the Charter and a person seeking appointment cannot be evaluated without information on their background. He said it is not required in January but the candidate will make that case to the voters to get their vote. He said anyone that gets appointed to the seat will have to file for the seat to keep the seat. He said as far as there being an Open Meetings Act violation because of his email to Council, the email was a response to a citizen and he hit reply to all by accident. He said if citizens have a problem with the Charter, there is a Charter Committee being formed to make changes to the Charter.

Councilmember Jungman said the Charter does not require Council to do the appointment but it gives Council the authority to appoint the replacement. He said it does not prohibit Council from crafting a process that is more inclusive of the Ward 3 voter. He said the process in place is not the one he would have chosen but it is somewhat of a compromise between a truly inclusive process and a non-inclusive process. He said there will be an open meeting tomorrow at 5:00 p.m. to interview the Ward 3 candidates and he hoped everyone who is interested will come.

Councilmember Williams said the most democratic way to make the selection is for Councilmember Ezzell to make the appointment. He said Councilmember Ezzell was selected and trusted by the citizens. He said since that is not going to be done, this would be the best process. He said many citizens have emailed and called and given their opinions on important issues and that is the part of the process that has not been mentioned. City Council listens to any Ward 3 citizen who wants to give their input and based on their advice, Council can make good solid decisions.

Mayor Rosenthal reminded citizens on Wednesday, July 25th, at 5:00 p.m., Council will be interviewing Ward 3 Candidates and it will be televised. She said Council has agreed on a standard set of questions so that all of the candidates will be providing similar information to allow the general public to evaluate them. She said on Tuesday, July 31st, at 5:30 p.m., there will be a "Meet and Greet" reception for individuals from Ward 3 to meet the candidates. She said the idea is to get additional input from the citizens from Ward 3 after they meet the candidates.

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Police Ride-A-Long. Mr. Stephen Tyler Holman, 1030 South College Avenue, said last week he had the opportunity to go on a Police Ride-A-Long for eight hours in central Norman. He said there were some very interesting aspects of the ride and highly recommended it to anyone who has not done it. He said an application for the Ride-Along could be picked up at the Police Department at the front desk. He said it made him aware that there are people in Norman who are in real need and at risk of falling through the cracks. He voiced his concerns for people in the community with mental health issues. He thanked the Police Department for taking him and thanked Officer Smallwood for being his escort.

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Dog Park. Councilmember Gallagher said at the Animal Shelter Oversight Committee meeting last night there had been a question about the size of the dog park on 12th Avenue N.E. He said he did not feel it was large enough. Mr. Steve Lewis, City Manager, said Staff would provide a response.

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Miscellaneous Discussion, continued:

Chromium 6. Councilmember Gallagher said he had been asked if there was some type of filter that could be placed at the Water Treatment Plant to reduce Chromium 6. Mr. Ken Komiske, Director of Utilities said no, something has to be done to change the properties of the water to take out Chromium 6.

Mr. Steve Lewis, City Manager, said information is available on the City's website about water conservation and water protection issues. He said in the section titled "Green Norman" there are environmental tips, information about botanical pest control, rain barrel construction, water conservation tips, and gray water.

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Norman Public Library. Councilmember Gallagher said he had been contacted by citizens who were angry about the condition of the library. He said there is an upcoming project for lighting and new carpet and the air conditioning project is close to being complete. He said the air conditioning project had been delayed and asked the City Manager when the lighting project would begin. He said he had been told that citizens would not use the restrooms because they were too dirty. He said this is a City maintenance problem and he would like a response because he needed to provide answers to his constituents. Mr. Steve Lewis, City Manager, said he had looked at a list of improvements made at the library beginning in 2008 which is when voters turned down a proposition to build a new library. He said as of 2008, approximately \$2 million had been spent in capital improvements at the library which includes a new fire and burglar alarm, a roof replacement, the heating and air conditioning (HVAC) design; and installation of the new HVAC system. He said \$300,000 has been set aside for the lighting replacement project and the design specifications are underway. He said this will be sent to bidders in September with the project taking 90 days to complete. He said he had toured the facility a few days ago and several problem areas were identified. He said the City Clerk and the maintenance staff had spent a considerable amount of time the last two or three days to improve the lighting situation. He said the flooring replacement project at a cost of approximately \$280,000 will follow the lighting project. Councilmember Gallagher asked if the design for the lighting could be done in a shorter period of time. Ms. Brenda Hall, City Clerk, said she had asked the architect working on the plans if the project could be expedited and he said it is possible it could go out to bid in late August. She said bid process is open for a three week period to comply with statutory process and once bids are opened, a contract will be submitted to Council. She said in the last few days approximately 380 additional lights had been added to the facility to address the lighting issues and additional janitorial services throughout the day had been added to address the high volume of traffic in the restrooms.

Councilmember Williams asked why the City Clerk was handling the library projects. Mr. Steve Lewis, City Manager, said most City Clerks in other communities do not take on building and facility maintenance and over the years this duty has been blended into the City Clerk's duties. Mr. Lewis said in the past, the City had gotten behind in taking care of facilities and have made a concerted effort over the last three budget cycles to add more money into facilities.

Mayor Rosenthal said Council owes a tremendous thank you to Brenda Hall, City Clerk, for the work she does day in and day out and maybe the Norman Transcript will want to do a report about the catching up the City has done in terms of deferred maintenance over the last three years and what it means in terms of energy savings and efficiency on the buildings. She thanked Ms. Hall and Facility Maintenance Staff.

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Bond Election August 28th. Councilmember Kovach said the August 28th Bond election is coming soon and reminded those who will be traveling that they can contact the Cleveland County Election Board and get absentee ballots.

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Meetings with Staff. Councilmember Jungman said he met with a number of managers of departments at City Hall and knew he had taken quite a bit of their time. He said he asked questions that he probably should have known before he got there and he really appreciated their information. He said it is worth noting that City Staff suffers through Council meetings for their entire career while Council only does it for a few terms. He thanked Staff and the City Manager.

Councilmember Williams said he is still going through the orientation process and it is a lot of information to process at one time. He said Staff has done a great job answering all his questions.

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Miscellaneous Discussion, continued:

Speedy Recovery. Councilmember Lockett wished Mayor Rosenthal a speedy recovery.

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Fire Station No. Nine. Mr. Steve Lewis, City Manager, said Fire Station No. Nine funded by our Public Safety Sales Tax is under construction on East Alameda Street. He said the construction site is visible from Alameda and the foundation is scheduled to be poured the first week of August. He said the new fire station should be completed during the Spring of 2013.

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Water Rationing. Mr. Steve Lewis, City Manager, said the City of Norman has been purchasing water from the City of Oklahoma City since Friday, July 20th and that usage has been between 1.2 and 3.2 million gallons per day (MGD) with an average of 2.3 MGD. He said the City adopted a Water Conservation Policy that places the City into mandatory water conservation when the City gets in the position of using 3.2 MDG of purchased water from Oklahoma City for two consecutive days with a very negative weather outlook. He asked citizens to think about their water conservation habits and continue with the odd/even watering. He said the website contains a number of water conservation tips. He said when the City gets to the mandatory stage, appropriate notices to customers will be done as well as a publication in the newspaper.

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Conflict of Interest. Mayor Rosenthal said there had been a letter to the editor recently that suggested that she had been remiss in her reporting of a potential conflict of interest. She said the letter was not specific as to what the conflict was but she discerned that the reference was to the Cleveland Area Rapid Transit (CART) contract that came before Council on July 10th. She said the City of Norman participates with the University of Oklahoma with funding along with federal transit dollars to provide transportation through the CART system. She said she works for the University of Oklahoma but the CART contract has been ongoing since 1993 and was formalized in 2003 with a designation from the City and the State and University. She said there is no employment benefit, no employment consequence or detriment to her as a tenured faculty member at the University of Oklahoma and therefore no recusal was required. She regrets she did not publicly announce this at the July 10th meeting for the clarity of the general public. She said this is a successful partnership that she is glad the City is a party to and that it was approved.

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Goodbye to Councilmember Ezzell. Mayor Rosenthal said Councilmember Ezzell is invited back in August for appropriate recognition and a resolution. She wanted to close the meeting this evening by recognizing that this is Councilmember Ezzell's last meeting and she wished him well.

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#### ADJOURNMENT

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

YEAS:	Councilmembers Ezzell, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 9:27 p.m.

ATTEST:

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City Clerk

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Mayor