

CITY COUNCIL SPECIAL SESSION MINUTES

July 22, 2014

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:30 p.m. in the Municipal Building Conference Room on the 22nd day of July, 2014, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Greg Heiple, Clint Williams, Robert Castleberry, Greg Jungman, Lynne Miller, Stephen Holman, and Mayor Pro Tem Chad Williams

ABSENT: Councilmember Jerry Lang and Mayor Cindy Rosenthal

Item 1, being:

DISCUSSION REGARDING CHANGE ORDER NO. TWO TO CONTRACT NO. K-1314-114 BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY AND SILVER STAR CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$131,094.25 FOR A REVISED AMOUNT OF \$4,031,153.10 FOR THE INTERSTATE DRIVE EAST EXTENSION PROJECT AND BUDGET APPROPRIATION FROM THE UNIVERSITY NORTH PARK TAX INCREMENT FINANCE FUND BALANCE.

Mr. Josh Malwick, Capital Projects Engineer, said Council approved Contract No. K-0607-45 by and between the City of Norman and the University Town Center, L.L.C., regarding Development Agreement No. 1 for the initial project activities associated with the traffic improvements needed to mitigate the additional traffic generated by the University North Park (UNP) development.

In 2008, the City constructed 0.62 miles of the 1.7 miles of the I-35 Frontage Road (Interstate Drive East) from Robinson Street to Conference Center Drive. During the design of the Rock Creek Road Overpass, the bridge was designed to span the future frontage road. On May 7, 2012, Council approved Development Agreement No. 5 for the UNP Tax Increment Finance (TIF) District which included funding to complete Interstate Drive East from Conference Center Drive to 24th Avenue N.W. During the summer of 2012, the I-35/Robinson Street Interchange N.E. Quadrant Project tied the I-35/Robinson Street Interchange ramps with the Interstate Drive East Frontage Road.

Mr. Malwick said on April 22, 2014, Council approved Contract No. K-1314-114 with Silver Star Construction, Inc., for the Interstate Drive East Extension which included the following: construction of approximately one mile of frontage road; construction of a modern roundabout; construction of the intersection of 24th Avenue N.W. with Interstate Drive East/Corporate Center Drive including decorative pavement and signalization; installation of approximately one mile of 12-inch public waterline and appurtenances; and construction of storm drainage facilities. He said the total contract amount for the components was \$3,900,058.85 and the Norman Economic Development Coalition (NEDC) and UNP agreed to reimburse the Norman Tax Increment Finance Authority (NTIFA) for certain costs associated with the intersection of Interstate Drive and 24th Avenue, as well as certain storm sewer upgrades.

Mr. Malwick said the design of the asphalt roadway section includes a compacted sub-base, an 8-inch stabilized subgrade, and 8-inches of asphalt pavement and consists of the compacted soil blended with a chemical additive which hardens the soil and increases the subgrade's ability to handle traffic loads and is necessary to properly support the roadway to minimize long term maintenance costs. He said typical chemicals added to the soil for stabilization are fly ash or cement kiln dust (CKD); however, to insure that the proper stabilization materials are selected, testing of the soil is required.

Recent soil testing for the Frontage Road Project indicated sulfate levels were high enough that when blended with a soil additive the formation of sulfate crystals could cause the subgrade to swell and damage the asphalt pavement which could require extensive and costly City street maintenance. Mr. Malwick said several options were considered for correcting the sulfate issue in the soil and the preferred option is to "mellow" the subgrade material by blending a small amount of quick lime with the existing soils. He said the contractor will allow the quick lime sufficient time to react with the sulfates and then stabilize the soil using CKD as determined by soil testing. Mr. Malwick said quick lime is another chemical additive commonly used in roadway construction and is the lowest costs solution for this project versus removal of the high sulfate soils and replacing them with aggregate base or different soils which increases the cost significantly.

Item 1, continued:

Mr. Malwick said the total proposed increase to Contract No. K-1314-114 is \$131,094.25 over the current contract amount of \$3,900,059 and is included on Council's regular agenda later this evening.

Items submitted for the record

1. Text File No. K-1314-114 dated July 16, 2014, from Josh Malwick, Capital Projects Engineer
2. Change Order No. Two to Contract No. K-1314-114
3. Change Order Detail for Contract No. K-1314-114 Change Order No. One with Attachments A and B
4. Phase 2 Water Well location map

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Item 2, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(4) IN ORDER TO DISCUSS POSSIBLE LITIGATION RELATED TO A REQUEST FOR THE RETURN OF DEFERRAL FUNDS SUBMITTED FOR REQUIRED PUBLIC IMPROVEMENTS IN CONNECTION WITH ROYAL OAKS ADDITION.

Councilmember Castleberry moved that the Special Session be adjourned out of and an Executive Session be convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss possible litigation related to a request for the return of deferral funds submitted for required public improvements in connection with Royal Oaks Addition which motion was duly seconded by Councilmember Clint Williams; and the question being upon adjourning out of the Special Session and convening into an Executive Session as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss possible litigation related to a request for the return of deferral funds submitted for required public improvements in connection with Royal Oaks Addition, a vote was taken with the following result:

YEAS: Councilmembers Greg Heiple, Clint Williams,  
Robert Castleberry, Greg Jungman,  
Lynne Miller, Stephen Holman, and Mayor  
Pro Tem Chad Williams

NAYES: None

The Mayor Pro Tem declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss possible litigation related to a request for the return of deferral funds submitted for required public improvements in connection with Royal Oaks Addition.

The City Council adjourned into Executive Session at 5:38 p.m. Mr. Steve Lewis, City Manager, and Mr. Jeff Bryant, City Attorney, were in attendance at the Executive Session.

Mayor Pro Tem Chad Williams acknowledged return to Open Session.

Thereupon, Councilmember Castleberry moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Miller; and the question being upon reconvening the Special Session, a vote was taken with the following result:

YEAS: Councilmembers Greg Heiple, Clint Williams,  
Robert Castleberry, Greg Jungman,  
Lynne Miller, Stephen Holman, and Mayor  
Pro Tem Chad Williams

NAYES: None

The Mayor Pro Tem declared the motion carried and the Special Session was reconvened at 6:24 p.m.

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Item 2, continued:

The Mayor Pro Tem said possible litigation related to a request for the return of deferral funds submitted for required public improvements in connection with Royal Oaks Addition was discussed in Executive Session. No action was taken and no votes were cast.

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#### ADJOURNMENT

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

YEAS:	Councilmembers Greg Heiple, Clint Williams, Robert Castleberry, Greg Jungman, Lynne Miller, Stephen Holman, and Mayor Pro Tem Chad Williams
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the meeting was adjourned at 6:25 p.m.

ATTEST:

  
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City Clerk

  
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Mayor

