

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

January 12, 2016

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 12th day of January, 2016, 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 Allison, Castleberry, Heiple,
Holman, Jungman, Lang, Miller, Williams,
Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

JOINT CITY COUNCIL/PLANNING COMMISSION STUDY SESSION MINUTES OF DECEMBER 1,
2015
CITY COUNCIL SPECIAL SESSION MINUTES OF DECEMBER 15, 2015
CITY COUNCIL SPECIAL SESSION MINUTES OF DECEMBER 22, 2015
CITY COUNCIL MINUTES OF DECEMBER 22, 2015
NORMAN UTILITIES AUTHORITY MINUTES OF DECEMBER 22, 2015
NORMAN MUNICIPAL AUTHORITY MINUTES OF DECEMBER 22, 2015
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF DECEMBER 22, 2015

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

Items submitted for the record

1. Text File GID-1516-37 dated January 5, 2016, by Brenda Hall, City Clerk
2. Joint City Council/Planning Commission Study Session minutes of December 1, 2015
3. City Council Special Session minutes of December 15, 2015
4. City Council Special Session minutes of December 22, 2015
5. City Council minutes of December 22, 2015
6. Norman Utilities Authority minutes of December 22, 2015
7. Norman Municipal Authority minutes of December 22, 2015
8. Norman Tax Increment Finance Authority minutes of December 22, 2015

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

YEAS: Councilmembers Allison, Castleberry, Heiple,
Holman, Jungman, Lang, Miller, Williams,
Mayor Rosenthal

NAYES: None

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

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Item 4, being:

RESOLUTION NO. R-1516-71: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE NORMAN HUMAN RIGHTS COMMISSION, AWARDING THE 2015 CITY OF NORMAN HUMAN RIGHTS AWARD.

Councilmember Williams moved that Resolution R-1516-71 be adopted, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File R-1516-71 dated December 29, 2015, by Kristina Bell, Assistant City Attorney
- 2. Resolution R-1516-71
- 3. Letter of nomination submitted by Casey Holcomb to members of the Norman Human Rights Commission
- 4. Pertinent excerpts from draft Human Rights Commission minutes of October 26, 2015

Participants in discussion

- 1. Ms. Kay Ham, Chairman of the Human Rights Commission, presented the Human Rights Award
- 2. Ms. Ashley Nicole McCray accepted the resolution and thanked the Council

and the question being upon adopting Resolution R-1516-71, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-1516-71 was adopted.

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Item 5, being:

CONSENT DOCKET

Councilmember Williams moved that Item 6 through Item 19 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Heiple; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 19, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Item 6 through Item 19 were placed on the consent docket by unanimous vote.

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Item 6, being:

CONSIDERATION OF ORDINANCE O-1516-29 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT 1 OF NORMAN FIRST CHURCH OF THE NAZARENE ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1801 NORTH PORTER AVENUE)

Councilmember Williams moved that Ordinance O-1516-29 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Heiple;

Item 6, continued:

Items submitted for the record

1. Text File O-1516-29 dated November 18, 2015, by Janay Greenlee, Planner
2. Ordinance O-1516-29 with Exhibit A-2, Special Use Exterior Appearance Variance
3. Location map
4. Staff Report dated December 10, 2015, recommending approval
5. Text File O-1516-11 dated August 14, 2015, for Ordinance O-1516-11 approved by City Council on October 27, 2015
6. Pertinent excerpts from Planning Commission minutes of December 10, 2015

and the question being upon the Introduction and adoption of Ordinance O-1516-29 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1516-29 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF ONE (1) SUBMERSIBLE PUMP AND MOTOR FROM EVANS ENTERPRISES INC., IN THE AMOUNT OF \$36,094.47 TO BE USED AT LIFT STATION D.

Acting as the Norman Utilities Authority, Trustee Williams moved that authorization for the purchase of one (1) submersible pump and motor from Evans Enterprises, Inc., in the amount of \$36,094.47 to be used at Lift Station D be approved, which motion was duly seconded by Trustee Heiple;

Items submitted for the record

1. Text File GID-1516-57 dated December 21, 2015, by David Hager, Line Maintenance Superintendent
2. Letter dated November 3, 2015, from Robert Dean, Regional Sales Manager, South Central USA Water Management, Wilo USA, to Whom It May Concern
3. Invoice 198146 dated November 25, 2015, in the amount of \$36,094.47 from Evans Enterprises, Inc., Oklahoma City

and the question being upon approving authorization for the purchase of one (1) submersible pump and motor from Evans Enterprises, Inc., in the amount of \$36,094.47 to be used at Lift Station D, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and authorization for the purchase of one (1) submersible pump and motor from Evans Enterprises, Inc., in the amount of \$36,094.47 to be used at Lift Station D was approved.

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Item 8, being

DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE THEREOF.

Councilmember Williams moved the equipment be declared to be surplus and/or obsolete and the sale thereof be authorized, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File GID-1516-58 dated December 29, 2015, by Frederick Duke, Procurement Analyst
- 2. Inventory of Goods to be Auctioned

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

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the equipment declared to be surplus and/or obsolete; and the sale thereof was authorized.

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Item 9, being:

CONSIDERATION OF A FINAL PLAT FOR BROOKHAVEN OFFICE PARK ADDITION, SECTION 1, DEFERRAL OF STREET AND SIDEWALK IMPROVEMENTS FOR WEST ROCK CREEK ROAD, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 500 FEET WEST OF 36TH AVENUE N.W. ON THE SOUTH SIDE OF WEST ROCK CREEK ROAD)

Councilmember Williams moved that the final plat for Brookhaven Office Park Addition, Section 1, and deferral of street and sidewalk improvements for West Rock Creek Road, the public dedications contained therein be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to completion and the City Development Committee's acceptance of all public improvements and receipt of a certificate of deposit in the amount of \$42,077 for deferral of street and sidewalk improvements for West Rock Creek Road within ten days after approval; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File FP-1516-20 dated December 21, 2015, by Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Final plat
- 4. Final site plan
- 5. Preliminary plat
- 6. Development Committee Staff Report dated December 23, 2015, recommending approval
- 7. Letter requesting deferral dated December 2, 2015, from Ole M. Marcussen, P.E., SMC Consulting Engineers, P.C., to Mr. Todd McClellan, P.E., Development Engineer, City of Norman
- 8. Engineer's estimate dated December 2, 2015, in the amount of \$42,077 for deferred construction
- 9. Application for Development Committee Action dated December 2, 2015, from Aria Development, L.L.C., for Brookhaven Office Park, Section 1

Item 9, continued:

and the question being upon approving the final plat for Brookhaven Office Park Addition, Section 1, and deferral of street and sidewalk improvements for West Rock Creek Road and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the final plat for Brookhaven Office Park Addition, Section 1, and deferral of street and sidewalk improvements for West Rock Creek Road approved; the public dedications contained therein were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to completion and the City Development Committee's acceptance of all public improvements and receipt of a certificate of deposit in the amount of \$42,077 for deferral of street and sidewalk improvements for West Rock Creek Road within ten days after approval, and the filing of the final plat was directed.

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Item 10, being:

CONSIDERATION OF A FINAL PLAT FOR NEELY ACRES ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE SOUTH SIDE OF EAST FRANKLIN ROAD AND ONE-QUARTER MILE WEST OF 48TH AVENUE N.E.)

Councilmember Williams moved that the final plat for Neely Acres Addition be approved; the public dedications contained therein be accepted; the Mayor be authorized to sign the final plat; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File FP-1516-22 dated December 22, 2015, by Ken Danner, Subdivision Development Manager
2. Location map
3. Final plat
4. Preliminary plat
5. Development Committee Staff Report dated December 23, 2015, recommending approval
6. Application for Development Committee Action dated November 30, 2015, from Joseph Neely for Neely Acres Addition

and the question being upon approving the final plat for Neely Acres Addition and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the final plat for Neely Acres Addition approved; the public dedications contained therein were accepted; the Mayor was authorized to sign the final plat; and the filing of the final plat was directed.

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Item 11, being:

SPECIAL CLAIM SC-1516-7: FROM SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA IN THE NEGOTIATED AMOUNT OF \$4,735.40 FOR COSTS TO REPAIR A CABLE DAMAGED DURING INSTALLATION OF A STORM DRAIN AT 2005 GRAND VIEW AVENUE.

Councilmember Williams moved that Special Claim SC-1516-7 be approved and payment in the negotiated amount of \$4,735.40 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 Heiple;

Item 11, continued:

Items submitted for the record

- 1. Text File SC-1516-7 dated December 30, 2015, by Jeanne Snider, Assistant City Attorney
- 2. Memorandum dated August 10, 2015, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney, and Shawn O’Leary, Director of Public Works
- 3. Special Claim SC-1516-7, Claim for Damages filed August 10, 2015, from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma, in the amount of \$6,056.92

and the question being upon approving Special Claim SC-1516-7 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Special Claim SC-1516-7 approved; and payment in the negotiated amount of \$4,735.40 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 12, being:

CONSIDERATION OF BID 1516-30, CONTRACT K-1516-53 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND MCKEE UTILITY CONTRACTORS, INC., IN THE AMOUNT OF \$207,500; PERFORMANCE BOND B-1516-15; STATUTORY BOND B-1516-16, AND MAINTENANCE BOND MB-1516-13 FOR THE BISHOP CREEK WATER LINE CROSSING PROJECT AND BUDGET APPROPRIATION FROM THE WATER FUND BALANCE.

Acting as the Norman Utilities Authority, Trustee Williams moved that all bids meeting specifications be accepted; the bid in the amount of \$207,500 be awarded to McKee Utility Contractors, Inc., as the lowest and best bidder meeting specifications; Contract K-1516-53 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Bishop Creek Water Line Crossing Project be authorized; and the filing of the bonds be directed, which motion was duly seconded by Trustee Heiple;

Items submitted for the record

- 1. Text File K-1516-53 dated December 24, 2015, by Charlie Thomas, Capital Projects Engineer
- 2. Location map
- 3. Letter of recommendation dated December 21, 2015, from John Levitt, P.E., CP&Y, Inc., to Mr. Charlie Thomas, Norman Utilities Authority
- 4. Contract K-1516-53
- 5. Performance Bond B-1516-15
- 6. Statutory Bond B-1516-16
- 7. Maintenance Bond MB-1516-13
- 8. Purchase Requisition 0000258950 dated December 29, 2015, in the amount of \$207,500 to McKee Utility Contractors, Inc.

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

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$207,500 was awarded to McKee Utility Contractors, Inc., as the lowest and best bidder meeting specifications; Contract K-1516-53 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Bishop Creek Water Line Crossing Project were authorized; and the filing of the bonds was directed.

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Item 13, being:

CHANGE ORDER NO. THREE TO CONTRACT K-1415-91: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$9,481.65 FOR A REVISED CONTRACT PRICE OF \$3,154,905.65 FOR THE SEWER MAINTENANCE PROJECT FYE 2013; FINAL ACCEPTANCE OF THE PROJECT, AND BUDGET APPROPRIATION FROM THE SEWER MAINTENANCE FUND.

Acting as the Norman Utilities Authority, Trustee Williams moved that Change Order No. Three to Contract K-1415-91 with Urban Contractors, L.L.C., increasing the contract amount by \$9,481.65 for a revised contract amount of \$3,154,905.65 be approved, the execution thereof be authorized, the project be accepted, final payment in the amount of \$237,459.37 be directed to Urban Contractors, L.L.C.; and \$8,612 be appropriated from the Sewer Maintenance Fund Balance (321-0000-253.20-00) to Project WW0200, SMP13, Construction (321-9338-432.61-01), which motion was duly seconded by Trustee Heiple;

Items submitted for the record

1. Text File K-1415-91, Change Order No. Three, dated December 24, 2015, by Charlie Thomas, Capital Projects Engineer
2. Change Order No. Three to Contract K-1415-91
3. Purchase Order 260988 dated March 26, 2015, in the amount of \$2,873,020 adding Change Order No. One in the amount of \$105,454; Change Order No. Two in the amount of \$166,950; and Change Order No. Three in the amount of \$9,481.65 and subtracting payments totaling \$2,917,446.28 leaving a balance of \$237,459.37

and the question being upon approving Change Order No. Three to Contract K-1415-91 with Urban Contractors, L.L.C., increasing the contract amount by \$9,481.65 for a revised contract amount of \$3,154,905.65 and upon the subsequent authorization, acceptance, directive, and appropriation, a vote was taken with the following result:

YEAS:	Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Change Order No. Three to Contract K-1415-91 with Urban Contractors, L.L.C., increasing the contract amount by \$9,481.65 for a revised contract amount of \$3,154,905.65 approved; the execution thereof was authorized; the project was accepted; final payment in the amount of \$237,459.37 was directed to Urban Contractors, L.L.C.; and \$8,612 was appropriated from the Sewer Maintenance Fund Balance (321-0000-253.20-00) to Project WW0200, SMP13, Construction (321-9338-432.61-01).

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Item 14, being:

CONTRACT K-1516-95: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND B-AIKEN INVESTMENTS 3, L.L.C., IN THE AMOUNT OF \$105,000 PLUS CLOSING COSTS FOR THE PURPOSE OF PURCHASING REAL PROPERTY LOCATED AT 119 WEST ACRES STREET AND BUDGET APPROPRIATION IN THE AMOUNT FROM THE NORMAN FORWARD CAPITAL FUND BALANCE.

Councilmember Williams moved that Contract K-1516-95 with B-Aiken Investments 3, L.L.C., in the amount of \$105,000 plus closing costs be approved, the execution thereof be authorized, and \$105,650 be appropriated from the Norman Forward Sales Tax Capital Fund Balance (051-0000-253.20-00) to Project PB0016, Central Branch Library Project, Land (051-9507-455.60-01), which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File K-1516-95 dated December 30, 2015, by Jeff Bryant, City Attorney
2. Location map of library sites
3. Contract K-1516-95

Item 14, continued:

and the question being upon approving Contract K-1516-95 with B-Aiken Investments 3, L.L.C., in the amount of \$105,000 plus closing costs and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract K-1516-95 with B-Aiken Investments 3, L.L.C., in the amount of \$105,000 plus closing costs approved; the execution thereof be authorized and \$105,650 was appropriated from the Norman Forward Sales Tax Capital Fund Balance (051-0000-253.20-00) to Project PB0016, Central Branch Library Project, Land (051-9507-455.60-01).

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Item 15, being:

CONTRACT K-1516-98: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND JACQUINE JACKSON IN THE AMOUNT OF \$89,725 FOR THE PURPOSE OF PURCHASING REAL PROPERTY LOCATED AT 117 WEST ACRES STREET AND BUDGET APPROPRIATION FROM THE NORMAN FORWARD CAPITAL FUND BALANCE.

Councilmember Williams moved that Contract K-1516-98 with Jacqueline Jackson in the amount of \$89,725 plus closing costs be approved, the execution thereof be authorized, and \$90,300 be appropriated from the Norman Forward Sales Tax Capital Fund Balance (051-0000-253.20-00) to Project PB0016, Central Branch Library Project, Land (051-9507-455.60-01), which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File K-1516-98 dated December 30, 2015, by Jeff Bryant, City Attorney
2. Location map of library sites
3. Contract K-1516-98

and the question being upon approving Contract K-1516-98 with Jacqueline Jackson in the amount of \$89,725 plus closing costs and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract K-1516-98 with Jacqueline Jackson in the amount of \$89,725 plus closing costs approved; the execution thereof be authorized and \$90,300 was appropriated from the Norman Forward Sales Tax Capital Fund Balance (051-0000-253.20-00) to Project PB0016, Central Branch Library Project, Land (051-9507-455.60-01).

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Item 16, being:

CONTRACT K-1516-99: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TOM AND CARLA POOLE IN THE AMOUNT OF \$92,400 PLUS CLOSING COSTS FOR THE PURPOSE OF PURCHASING REAL PROPERTY LOCATED AT 115 WEST ACRES STREET AND BUDGET APPROPRIATION FROM THE NORMAN FORWARD CAPITAL FUND BALANCE.

Councilmember Williams moved that Contract K-1516-99 with Tom and Carla Poole in the amount of \$92,400 plus closing costs be approved, the execution thereof be authorized, and \$94,303 be appropriated from the Norman Forward Sales Tax Capital Fund Balance (051-0000-253.20-00) to Project PB0016, Central Branch Library Project, Land (051-9507-455.60-01), which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File K-1516-99 dated December 30, 2015, by Jeff Bryant, City Attorney
2. Location map of library sites
3. Contract K-1516-99

Item 16, continued:

and the question being upon approving Contract K-1516-99 with Tom and Carla Poole in the amount of \$92,400 plus closing costs and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract K-1516-99 with Tom and Carla Poole in the amount of \$92,400 plus closing costs approved; the execution thereof be authorized and \$94,303 was appropriated from the Norman Forward Sales Tax Capital Fund Balance (051-0000-253.20-00) to Project PB0016, Central Branch Library Project, Land (051-9507-455.60-01).

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Item 17, being:

CONSIDERATION OF THE CITY ATTORNEY’S RECOMMENDATION FOR ACCEPTANCE OF A COURT ORDER IN THE AMOUNT OF \$53,103.75 REGARDING GARY DEAN CECIL VS. THE CITY OF NORMAN, WORKERS’ COMPENSATION COURT CASE WCC 2007-04745A.

Councilmember Williams moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims totaling \$53,103.75 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File GID-1516-76 dated January 5, 2016, by Jeanne Snider, Assistant City Attorney with attached Payment Schedule
2. Workers’ Compensation Court Case WCC 2007-04745A, Order Awarding the Nature and Extent of Permanent Partial Disability Benefits, filed September 18, 2015
3. Workers’ Compensation Court Case WCC 2007-04745A, Order on Appeal Affirming in Part and Modifying in Part the Decision of the Trial Court, filed December 11, 2015
4. Purchase Requisition 0000259070 dated January 5, 2016, in the amount of \$25,359.75 to Richard Bell and Gary Cecil
5. Purchase Requisition 0000259071 dated January 5, 2016, in the amount of \$1,062.08 to Workers’ Compensation Administration Fund Tax
6. Purchase Requisition 0000250075 dated January 5, 2016, in the amount of \$398.28 to Special Occupational Health and Safety Fund
7. Purchase Requisition 0000259079 dated January 5, 2016, in the amount of \$125.70 to Workers’ Compensation Court

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

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims totaling \$53,103.75 which will constitute judgment against the City of Norman was directed.

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Item 18, being:

RESOLUTION R-1516-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENTS OF THE CLAIMS FILED BY TIM SUCHY UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF TIM SUCHY V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASES. WCC 2013-11624J AND WCC 2013-13117X; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENTS AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Williams moved that Resolution R-1516-76 be adopted and payment of claims in the amount of \$80,750 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File R-1516-76 dated January 5, 2016, by Jeanne Snider, Assistant City Attorney
2. Resolution R-1516-76
3. Purchase Requisition 0000259082 dated January 5, 2016, in the amount of \$80,750 to Williams Woodson and Tim Suchy
4. Purchase Requisition 0000259085 dated January 5, 2016, in the amount of \$140 to Workers' Compensation Court
5. Purchase Requisition 0000259088 dated January 5, 2016, in the amount of \$140 to Workers' Compensation Court
6. Purchase Requisition 0000259090 dated January 5, 2016, in the amount of \$125.70 to Cleveland County Court Clerk
7. Purchase Requisition 0000259092 dated January 5, 2016, in the amount of \$969 to Worker's Compensation Administration Fund
8. Purchase Requisition 0000259093 dated January 5, 2016, in the amount of \$646 to Worker's Compensation Administration Fund
9. Purchase Requisition 0000259125 dated January 5, 2016, in the amount of \$363.38 to Special Occupational Health and Safety Fund
10. Purchase Requisition 0000259127 dated January 5, 2016, in the amount of \$242.25 to Special Occupational Health and Safety Fund

and the question being upon adopting Resolution R-1516-76 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Lang, Jungman, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-1516-76 adopted; and payment of claims in the amount of \$80,750 which constitutes judgment against the City of Norman was directed.

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Item 19, being:

CONSIDERATION OF BID 1516-40, CONTRACT K-1516-54 WITH APOLLO BUILDING SYSTEMS, INC., IN THE AMOUNT OF \$98,765; PERFORMANCE BOND B-1516-46; STATUTORY BOND B-1516-47; AND MAINTENANCE BOND MB-1516-2016 FOR THE POLICE DEPARTMENT FIRING RANGE CLASSROOM BUILDING EXPANSION PROJECT; ADOPTION OF PROJECT AGENT RESOLUTION R-1516-73; AND BUDGET APPROPRIATION FROM THE CAPITAL FUND BALANCE.

Councilmember Williams moved that all bids meeting specifications be accepted, the bid in the amount of \$98,765 be awarded to Apollo Building Systems, Inc., as the lowest and best bidder meeting specifications; Contract K-1516-54 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution R-1516-73 be adopted; and \$8,765 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project BG0052, Classroom B Expansion, Construction (050-9208-419.61-01), which motion was duly seconded by Councilmember Heiple;

Item 19, continued:

Items submitted for the record

- 1. Text File K-1516-54 dated December 15, 2015, by Major JD Younger
- 2. Proposal Ranking Form dated May 19, 2015
- 3. Contract K-1516-54
- 4. Performance Bond B-1516-46
- 5. Statutory Bond B-1516-47
- 6. Maintenance Bond MB-1516-30
- 7. Resolution R-1516-73
- 8. Purchase Order 264819 dated June 26, 2015, in the amount of \$98,765 to Apollo Building Systems, Inc.

Participants in discussion

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

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

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$98,765 was awarded to Apollo Building Systems, Inc., as the lowest and best bidder meeting specifications; Contract K-1516-54 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; Resolution R-1516-73 was adopted; and \$8,765 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project BG0052, Classroom B Expansion, Construction (050-9208-419.61-01).

* * * * *

Item 20, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR WOODCREST ESTATES PLAZA ADDITION, A REPLAT OF LOT 2, BLOCK 1, WOODCREST ESTATES PLAZA ADDITION. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF PORTER AVENUE AND ROCK CREEK ROAD)

Councilmember Williams moved that the preliminary plat for Woodcrest Estates Plaza Addition, a replat of Lot 2, Block 1, Woodcrest Estates Plaza Addition, and waiver of the alley requirements be approved, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File PP-1516-9 dated October 20, 2015, by Ken Danner, Subdivision Development Manager, with Exhibit A, Traffic Table
- 2. Location map
- 3. Preliminary plat
- 4. Concept site plan
- 5. Letter requesting alley waiver dated November 3, 2015, from George Marquez, P.E., LEED AP BD+C, Vice President, Commercial, Crafton Tull, to Ms. Sandy Bahan, Chairman, Planning Commission
- 6. Staff Report dated November 12, 2015, recommending approval
- 7. Development Review of Transportation Impacts dated October 19, 2015, prepared by David R. Riesland, P.E., City Traffic Engineer, for Woodcrest Estates Plaza Preliminary Plat
- 8. Predevelopment Meeting Summary Case PD 15-37 dated October 22, 2015, for C.A. McCarty Construction for property located at the northeast corner of Porter Avenue and Rock Creek Road
- 9. Greenbelt Commission Final Comments dated October 19, 2015
- 10. Pertinent excerpts from Planning Commission minutes of November 12, 2015

Participants in discussion

- 1. Mr. George Marquez, Crafton Tull, 214 East Main Street, Oklahoma City, architect representing the applicant

Item 20, continued:

and the question being upon approving the preliminary plat for Woodcrest Estates Plaza Addition, a replat of Lot 2, Block 1, Woodcrest Estates Plaza Addition, and waiver of the alley requirements, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the preliminary plat for Woodcrest Estates Plaza Addition, a replat of Lot 2, Block 1, Woodcrest Estates Plaza Addition, and waiver of the alley requirements were approved.

* * * * *

Item 21, being:

RESOLUTION R-1516-55: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE OPEN SPACE DESIGNATION AND PLACE THE SAME IN THE INSTITUTIONAL DESIGNATION. (NORTH OF 1501 24TH AVENUE N.E.)

Councilmember Williams moved that Resolution R-1516-55 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

- 1. Text File R-1516-55 dated November 16, 2015, by Janay Greenlee, Planner
- 2. Resolution R-1516-55
- 3. Location map
- 4. Planning Commission Staff Report dated December 12, 2015, recommending approval
- 5. Site plan
- 6. Pertinent excerpts from Planning Commission minutes of December 10, 2015

Participants in discussion

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

and the question being upon adopting Resolution R-1516-55 and upon the subsequent amendment, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution R-1516-55 adopted; and the NORMAN 2025 Land Use and Transportation was amended according thereto.

* * * * *

Item 22, being:

RESOLUTION R-1516-26: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE OFFICE DESIGNATION AND PLACE THE SAME IN THE COMMERCIAL DESIGNATION. (NORTHEAST CORNER OF 24TH AVENUE S.W. AND BROOKS STREET)

Councilmember Williams moved that Resolution R-1516-26 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Heiple;

Item 22, continued:

Items submitted for the record

- 1. Text File R-1516-26 dated October 20, 2015, by Jane Hudson, Principal Planner
- 2. Resolution R-1516-26
- 3. Location map
- 4. Planning Commission Staff Report dated November 12, 2015, recommending approval
- 5. Pertinent excerpts from Planning Commission minutes of December 10, 2015

Participants in discussion

- 1. Mr. Brad Worster, Fulton Worster Group, 124 South Santa Fe Avenue, agent representing the applicant

and the question being upon adopting Resolution R-1516-26 and upon the subsequent amendment, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution R-1516-26 adopted; and the NORMAN 2025 Land Use and Transportation was amended according thereto

* * * * *

Item 23, being:

CONSIDERATION OF ORDINANCE O-1516-20 UPON SECOND AND FINAL READING: 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 REMOVE PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHEAST CORNER OF 24TH AVENUE S.W. AND BROOKS STREET)

Ordinance O-1516-20 having been Introduced and adopted upon First Reading by title in City Council's meeting of December 22, 2015, Councilmember Williams moved that Ordinance O-1516-20 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File O-1516-20 dated October 20, 2015, by Jane Hudson, Principal Planner
- 2. Ordinance O-1516-20
- 3. Location map
- 4. Preliminary site plan
- 5. Planning Commission Staff Report dated November 12, 2015, recommending approval
- 6. Pertinent excerpts from Planning Commission minutes of November 12, 2015

and the question being upon adopting Ordinance O-1516-20 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1516-20 was adopted upon Second Reading section by section.

Item 23, continued:

Thereupon, Councilmember Williams moved that Ordinance O-1516-20 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Heiple; and the question being upon adopting Ordinance O-1516-20 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance O-1516-20 was adopted upon Final Reading as a whole.

* * * * *

Item 24, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR HATCHER ADDITION WITH A WAIVER OF THE ALLEY REQUIREMENTS. (GENERALLY LOCATED ON THE NORTHEAST CORNER OF 24TH AVENUE S.W. AND BROOKS STREET)

Councilmember Williams moved that the preliminary plat for Hatcher Addition and waiver of alley requirements be approved, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File PP-1516-11 dated October 20, 2015, by Ken Danner, Subdivision Development Manager, with Exhibit A, Traffic Table
2. Location map
3. Preliminary plat
4. Preliminary site plan
5. Letter requesting alley waiver dated November 3, 2015, from Brad Worster, Broker/Owner, Oklahoma Broker #121019, Fulton Worster Group, to Ms. Sandy Bahan, Chair, Planning Commission
6. Staff Report dated November 12, 2015, recommending approval
7. Development Review of Transportation Impacts dated October 19, 2015, prepared by David R. Riesland, P.E., City Traffic Engineer, for Hatcher Addition Preliminary Plat
8. Predevelopment Meeting Summary Case PD 15-30 dated September 24, 2015, for Fulton Worster Group on behalf of Nancy Guerra and Don Hatcher for property located east of the northeast corner of 24th Avenue S.W. and Brooks Street
9. Greenbelt Commission Final Comments dated September 21, 2015
10. Pertinent excerpts from Planning Commission minutes of November 12, 2015

Participants in discussion

1. Mr. Scott Sturtz, City Engineer

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

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the preliminary plat for Hatcher Addition and waiver of alley requirements were approved.

* * * * *

Item 25, being:

MISCELLANEOUS DISCUSSION

Raftelis Consultants Contract. Mr. Steve Ellis, 633 Reed Avenue, asked about the status of the fee study being conducted by Raftelis Consultants on the wastewater connection fees and wastewater excise tax.

Mayor Rosenthal said staff would contact Mr. Ellis regarding his question.

*

Storm Water Utility. Councilmember Heiple reminded everyone to think about the vote on the Storm Water Utility issue. He said the City needs revenue and Council is working to find a solution.

*

Norman Forward. Councilmember Miller said the voters recently passed the largest bond issue of its kind in Norman's history with the Norman Forward initiative. She said Norman Forward is an enormous responsibility for Council and Staff to steward appropriately. She said she is very appreciative of the citizens that are willing to work on committees to help Council. She said she recently attended the Norman Forward Citizen's Financial Oversight Board meeting and the Norman Forward Senior Center Ad Hoc Advisory Group will be meeting Thursday at 1:30 p.m. She said these people have taken on a responsibility for a number of years into the future to help Council do the best job possible. She said the whole community should be grateful.

Councilmember Castleberry said he would like to see all of the committees appointed as soon as possible. He said he knew that it was decided to wait a few years for some of the committees to be appointed for the Aquatics Center and baseball and softball fields; however, many of these projects would take at least a year to design and citizen input will be needed for this phase for future planning. He said the budget will be tight and it is important for citizens to know that the City is being prudent with the funding. He said as hard as it is to project 15 years out, he feels there will be enough revenue to do the quality projects that were voted on and to also be fiscally responsible by possibly paying the bonds off a little earlier. He encouraged Council and Staff to form all of the committees and involve all of the stakeholder groups.

Mayor Rosenthal said she respectfully disagreed with her colleague about setting up all committees for Norman Forward now. She reminded everyone that this is a fifteen year sales tax with a build out period for these projects of 7 to 8 years. She said having advisory committees start in year one to plan something that might work its way to fruition in year 7 just adds to the unrealistic expectations. She asked people to be patient as Council and Staff move forward diligently. She said in the last two weeks, there had been five advisory committee meetings. She said the burden of advisory committees on City staff has resulted in cancelling three City Council Committee meetings. She said Council and Staff are in this for the long haul and it will be done right. She said there will be a lot of public input but it has to go in an orderly deliberative process. She said staff members cannot be in advisory committee meetings for projects that are going to happen three to five years from now. She encouraged citizen input on the committees that are now meeting.

*

Internet Fairness Tax. Councilmember Castleberry said he is confident that in the next few years, the Internet Fairness Tax issue will be solved which will allow a huge increase to the City's growth.

*

Center City Form Based Code Public Meeting. Councilmember Holman reminded everyone that Wednesday, January 13th is the second Center City Form Based Code Public Meeting to be held at 6:00 p.m. in the City Council Chambers.

Mayor Rosenthal said she hoped people would attend this meeting.

*

Contact Councilmembers. Councilmember Lang said the website contains Councilmember contact information and urged citizens to feel free to contact them to ask questions or voice concerns. He said Councilmembers want to represent citizens' viewpoints.

*

Miscellaneous Discussion, continued:

CITY MANAGER'S REPORT

January Sales Tax Report. The general purpose sales tax remittance for the month of January which reflects transactions that occurred during November has increased \$208,248 (4.15%) over January of last year levels. Fiscal year 2015-2016 sales tax collections are now 3.52% above FYE 2015 levels.

*

Form Based Code. The link for the final draft of the form based code is www.normanok.gov/planning/norman-center-city-vision.

*

Water Reclamation Ultraviolet Disinfection Facility. Voters recently approved a rate increase to fund major expenses at the Water Reclamation Facility. Some of the improvements are expansion of the design capacity from 12 million gallons daily (MGD) to 17 MGD, rehabilitation of older equipment, and the addition of ultraviolet disinfection, effluent aeration and odor control technologies. Archer Western Construction, L.L.C., began construction of the Phase 2 improvements on June 2, 2014. All work is scheduled to be completed by early January, 2017. As of December 31st, 66% of the work is complete. The Oklahoma Department of Environmental Quality has set a consent order timeline as follows:

- Complete disinfection improvements – January 1, 2016 – completed
- Attain compliance with fecal coliform limits – July 1, 2016
- Complete Phase 2 Improvements – January 1, 2017
- Attain compliance with Ammonia and TSS Limits – July 1, 2017

ADJOURNMENT

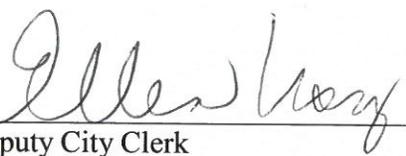
There being no further business, Councilmember Williams moved that the meeting be adjourned, which motion was duly seconded by Councilmember Heiple; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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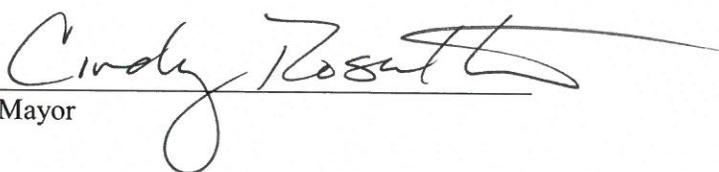
NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 7:25 p.m.

ATTEST:



 Deputy City Clerk



 Mayor

