

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

April 28, 2020

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 28th day of April, 2020, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Carter,
Hall, Holman, Petrone, Scanlon,
Scott, Wilson, Mayor Clark

ABSENT: None

The Pledge of Allegiance was led by Mayor Clark.

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL MINUTES OF APRIL 14, 2020
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 14, 2020
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 14, 2020
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 14, 2020

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

Items submitted for the record

1. Text File GID-1920-16 dated April 24, 2020, by Brenda Hall, City Clerk
2. City Council minutes of April 14, 2020
3. Norman Utilities Authority minutes of April 14, 2020
4. Norman Municipal Authority minutes of April 14, 2020
5. Norman Tax Increment Finance Authority minutes of April 14, 2020

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

YEAS: Councilmembers Bierman, Carter,
Hall, Holman, Petrone, Scanlon,
Scott, Wilson, Mayor Clark

NAYES: None

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

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Item 4, being

PROCLAMATION P-1920-36: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 20 THROUGH 24, 2020, AS OU STAFF WEEK IN THE CITY OF NORMAN.

Councilmember Petrone moved that receipt of Proclamation P-1920-36 proclaiming the week of April 20 through 24, 2020, as OU Staff Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Scott;

Items submitted for the record

- 1. Text File P-1920-36 dated April 14, 2020, by Brenda Hall, City Clerk
- 2. Proclamation P-1920-36

and the question being upon acknowledging receipt of Proclamation P-1920-36 proclaiming the week of April 20 through 24, as OU Staff Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation P-1920-36 proclaiming the week of April 20 through 24, 2020, as OU Staff Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 5, being:

PROCLAMATION P-1920-40: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2020, AS MENTAL HEALTH AWARENESS MONTH IN THE CITY OF NORMAN.

Councilmember Scott moved that receipt of Proclamation P-1920-40 proclaiming the month of May, 2020, as Mental Health Awareness Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Petrone;

Items submitted for the record

- 1. Text File P-1920-40 dated April 14, 2020, by Kristina Bell, Assistant City Attorney
- 2. Proclamation P-1920-40

and the question being upon acknowledging receipt of Proclamation P-1920-40 proclaiming the month of May, 2020, as Mental Health Awareness Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation P-1920-40 proclaiming the month of May, 2020, as Mental Health Awareness Month in the City of Norman acknowledged; and the filing thereof was directed.

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Item 6, being:

CONSENT DOCKET

Councilmember Scott that Item 7 through Item 16 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Petrone; and the question being upon the placement on the consent docket by unanimous vote of Item 7 through Item 16, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Item 7 through Item 16 were placed on the consent docket by unanimous vote.

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MARCH 31, 2020, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File RPT-1920-53 dated April 14, 2020, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report of March 31, 2020

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 Bierman, Carter, Petrone, Hall, Hickman, Scanlon, Scott, Wilson, Mayor Clark
NAYES:	None

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

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MARCH, 2020, AND DIRECTING THE FILING THEREOF.

Councilmember Holman moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

1. Text File RPT-1920-54 dated April 14, 2020, by Stacey Parker, Executive Assistant
2. Monthly Departmental Reports for the month of March, 2020

Item 8, continued:

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 Bierman, Carter, Petrone, Hall, Hickman, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

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

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Item 9, being:

CONSIDERATION OF AWARDING OF BID 1920-57, CONTRACT K-1920-123 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND JORDAN CONTRACTORS, INC., IN THE AMOUNT OF \$370,105; PERFORMANCE BOND B-1920-83, STATUTORY BOND B-1920-84, AND MAINTENANCE BOND MB-1920-53 FOR THE FYE 2017 SEWER MAINTENANCE PROJECT, PHASE 2, AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Acting as the Norman Utilities Authority, Trustee Holman moved that all bids meeting specifications be accepted; the bid in the amount of \$370,105 be awarded to Jordan Contractors, Inc., as the lowest and best bidder meeting specifications; Contract K-1920-123 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized and the Norman Utilities Authority as part of the contract be further authorized to pay subcontractors for equipment and supplies for the FYE 2017 Sewer Maintenance Project, Phase 2; the filing of the bonds be directed; and \$390,000 be transferred from Project WW0316, FYE18 Sewer Maintenance Project, Construction (32193338-46101) to Project WW0307, FYE17 Sewer Maintenance Project, Construction (32193338-46101), which motion was duly seconded by Trustee Bierman;

Items submitted for the record

- 1. Text File K-1920-123 dated April 14, 2020, by Mark Daniels, Utilities Engineer
- 2. Tabulation of bids for FYE17 Sewer Maintenance Project, Phase 2
- 3. Contract K-1920-123
- 4. Performance Bond B-1920-83
- 5. Statutory Bond B-1920-84
- 6. Maintenance Bond MB-1920-53
- 7. Project location map

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

YEAS: Trustees Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Chairman Clark

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$370,105 was awarded to Jordan Contractors, Inc., as the lowest and best bidder meeting specifications; Contract K-1920-123 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized and the Norman Utilities Authority as part of the contract was further authorized to pay subcontractors for equipment and supplies for the FYE 2017 Sewer Maintenance Project, Phase 2; the filing of the bonds was directed; and \$390,000 was transferred from Project WW0316, FYE18 Sewer Maintenance Project, Construction (32193338-46101) to Project WW0307, FYE17 Sewer Maintenance Project, Construction (32193338-46101).

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Item 10, being:

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

Councilmember Holman moved that the equipment be declared to be surplus and/or obsolete and the sale or donation thereof be authorized, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

- 1. Text File GID-1920-73 dated April 21, 2020, by Brenda Hall, City Clerk
- 2. Inventory of goods to be auctioned

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

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and the equipment declared to be surplus/obsolete; and the sale or donation thereof was authorized.

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Item 11, being:

AMENDMENT NO THREE TO CONTRACT K-1213-165: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CABBINESS ENGINEERING, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$175,000 FOR A REVISED CONTRACT AMOUNT OF \$575,800 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE PORTER AVENUE STREETScape BOND PROJECT AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Holman moved that Amendment No. Three to Contract K-1213-165 with Cabbiness Engineering, L.L.C., increasing the contract amount by \$175,000 for a revised contract amount of \$575,800 be approved, the execution thereof be authorized, and \$79,446 be transferred from Project BP0418, Porter Avenue Streetscape 2019 Bond Project, Land (50594019-46001) to Design (50594019-46201), which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

- 1. Text File K-1213-165, Amendment No. Three, dated April 16, 2020, by Paul D'Andrea, Capital Projects Engineer
- 2. Amendment No. Three to Contract K-1213-165 with Figure 1, aerial project location map
- 3. Project location map
- 4. Design Options with Estimated Project Cost

and the question being upon approving Amendment No. Three to Contract K-1213-165 with Cabbiness Engineering, L.L.C., increasing the contract amount by \$175,000 for a revised contract amount of \$575,800 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Amendment No. Three to Contract K-1213-165 with Cabbiness Engineering, L.L.C., increasing the contract amount by \$175,000 for a revised contract amount of \$575,800 approved; the execution thereof was authorized and \$79,446 was transferred from Project BP0418, Porter Avenue Streetscape 2019 Bond Project, Land (50594019-46001) to Design (50594019-46201).

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Item 12, being:

AMENDMENT NO ONE TO CONTRACT K-1617-98: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ATKINS NORTH AMERICA, INC., INCREASING THE CONTRACT AMOUNT BY \$19,500 FOR A REVISED CONTRACT AMOUNT OF \$132,400 TO PROVIDE ADDITIONAL ENGINEERING AND DESIGN SERVICES FOR THE 2016 BOND ROAD RECONSTRUCTION PROJECT, PICKARD AVENUE FROM KANSAS STREET TO ACRES STREET AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Holman moved that Amendment No. One to Contract K-1617-98 with Atkins North America, Inc., increasing the contract amount by \$19,500 for a revised contract amount of \$132,400 be approved, the execution thereof be authorized, and \$19,500 be transferred from Project BP0414, Urban Reconstruction Bond Project, McCall Drive, Construction (50593385-46101) to Project BP0379, Urban Reconstruction Bond Project, Pickard Avenue, Design (50593385-46201), which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

1. Text File K-1617-98, Amendment No. One, dated April 14, 2020, by Jason Spencer, Capital Projects Engineer
2. Amendment No. One to Contract K-1617-98
3. Contract K-1617-98 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
4. Project location map

and the question being upon Amendment No. One to Contract K-1617-98 with Atkins North America, Inc., increasing the contract amount by \$19,500 for a revised contract amount of \$132,400 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Amendment No. One to Contract K-1617-98 with Atkins North America, Inc., increasing the contract amount by \$19,500 for a revised contract amount of \$132,400 approved; the execution thereof was authorized and \$19,500 was transferred from Project BP0414, Urban Reconstruction Bond Project, McCall Drive, Construction (50593385-46101) to Project BP0379, Urban Reconstruction Bond Project, Pickard Avenue, Design (50593385-46201).

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Item 13, being:

AMENDMENT NO. TWO TO CONTRACT K-1920-32: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA EXTENDING THE TERM OF THE LEASE AGREEMENT FOR OFFICE SPACE, SERVICE BAYS, FLEET STORAGE, AND WAREHOUSE/GARAGE SPACE TO BE USED FOR PROVIDING TRANSPORTATION SERVICES UNTIL DECEMBER 31, 2020.

Councilmember Holman moved that Amendment No. Two to Contract K-1920-32 with the Board of Regents of the University of Oklahoma extending the contract until December 31, 2020, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Bierman;

Item 13, continued:

Items submitted for the record

- 1. Text File K-1920-32, Amendment No. Two, dated April 17, 2020, by Kristina Bell, Assistant City Attorney
- 2. Amendment No. Two to Contract K-1920-32
- 3. Amendment No. One to Contract K-1920-32
- 3. Contract K-1920-32 with Appendix A, floor plan, and Appendix B, Facility Sharing Agreement

and the question being upon Amendment No. Two to Contract K-1920-32 with the Board of Regents of the University of Oklahoma extending the contract until December 31, 2020, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Amendment No. Two to Contract K-1920-32 with the Board of Regents of the University of Oklahoma extending the contract until December 31, 2020, approved, and the execution thereof was authorized.

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Item 14, being:

CONTRACT K-1920-124: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MACARTHUR ASSOCIATED CONSULTANTS, L.L.C., IN THE AMOUNT OF \$287,000 TO PROVIDE THE ENGINEERING DESIGN OF THE GRAY STREET TWO-WAY CONVERSION 2019 BOND PROJECT AND BUDGET TRANSFERS BETWEEN PROJECT ACCOUNTS.

Councilmember Holman moved that Contract K-1920-124 with MacArthur Associated Consultants, L.L.C., in the amount of \$287,000 be approved, the execution thereof be authorized, and \$548,966 be appropriated from 2019 Transportation Bond Fund Balance (50-29000) to Project BP0424, Gray Street Two-Way Conversion 2019 Bond Project Design (50594019-46201), which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

- 1. Text File K-1920-124 dated March 24, 2020, by Paul D’Andrea, Capital Projects Engineer
- 2. Contract K-1920-124 with Attachment A, Scope of Services; Attachment B, Project Schedule; and Attachment C, Compensation
- 3. Project Details
- 4. Project Location Map

and the question being upon approving Contract K-1920-124 with MacArthur Associated Consultants, L.L.C., in the amount of \$297,000 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Contract K-1920-124 with MacArthur Associated Consultants, L.L.C., in the amount of \$287,000 approved; the execution thereof was authorized and \$548,966 was appropriated from 2019 Transportation Bond Fund Balance (50-29000) to Project BP0424, Gray Street Two-Way Conversion 2019 Bond Project Design (50594019-46201).

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Item 15, being:

RESOLUTION R-1920-107: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY KENNETH WAYNE ALBERTSON II UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF KENNETH WAYNE ALBERTSON V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE NO. 2018-07857 J; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Holman moved that Resolution R-1920-107 be adopted and payment of claims in the amount of \$17,765 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

- 1. Text File R-1920-107 dated April 13, 2020, by Jeanne Snider, Assistant City Attorney
- 2. Resolution R-1920-107

and the question being upon adopting Resolution R-1920-107 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-1920-107 adopted; and payment of claims in the amount of \$17,765 which will constitute judgment against the City of Norman was directed.

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Item 16, being

RESOLUTION R-1920-108: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT A GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION'S FISCAL YEAR 2020 GRANTS FOR BUSES AND BUS FACILITIES PROGRAM AND EXPRESSING ITS COMMITMENT TO SECURE FUNDING FOR THE LOCAL MATCH IF SUCH GRANT IS AWARDED AND PROJECTS APPROVED.

Councilmember Holman moved that Resolution R-1920-108 be adopted, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

- 1. Text File R-1920-108 dated April 16, 2020, by Taylor Johnson, Public Transit Coordinator
- 2. Resolution R-1920-108

and the question being upon adopting Resolution R-1920-108, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-1920-108 was adopted.

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Item 17, being:

CONSIDERATION OF ORDINANCE O-1920-42 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 GRANT SPECIAL USE FOR A PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE NORTH (T-9-N), RANGE TWO WEST (R-2-W), OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (APPROXIMATELY ONE-HALF MILE SOUTH OF EAST ROBINSON STREET AND ONE-HALF MILE EAST OF 48TH AVENUE N.E.)

Ordinance O-1920-42 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 14, 2020, Councilmember Wilson moved that Ordinance O-1920-42 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

1. City Council Staff Report O-1920-42 dated February 21, 2020, by Lora Hoggatt, Planner
2. Ordinance O-1920-42
3. Location map
4. Staff Report dated March 12, 2020, recommending approval
5. Preliminary layout
6. City of Norman Predevelopment Summary PD20-05 dated February 27, 2020, for DG Central I for property located south of East Robinson Street between 48th Avenue N.E. and 60th Avenue N.E.
7. Pertinent excerpts from Planning Commission minutes of March 12, 2020

Participants in discussion

1. Mr. Adam Siegelstein, Project Director, Renewables Development, NextEra Energy Resources, applicant
2. Mr. Evan Dunn, 1400 Garfield Avenue, proponent
3. Mr. George Emerling made comments

and the question being upon adopting Ordinance O-1920-42 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1920-42 was adopted upon Second Reading section by section.

Thereupon, Councilmember Scott moved that Ordinance O-1920-42 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1920-42 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1920-42 was adopted upon Final Reading as a whole.

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Item 18, being:

CONSIDERATION OF ORDINANCE O-1920-43 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PLATTED PEDESTRIAN EASEMENT SITUATED IN THE NORTHEAST QUARTER (NE/4) OF SECTION TEN (10), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3812 DALSTON CIRCLE)

Ordinance O-1920-43 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 14, 2020, Councilmember Holman moved that Ordinance O-1920-43 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. City Council Staff Report O-1920-43 dated February 21, 2020, by Ken Danner, Subdivision Development Manager
2. Ordinance O-1920-43
3. Location map
4. Memorandum dated February 11, 2020, from Brenda Hall, City Clerk, to Kathryn Walker, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; Ken Komiske, Director of Utilities; and Jane Hudson, Director of Planning and Community Development
5. Letter of request filed February 11, 2020, from Brice Beckwith, OBA #32351, James Lynn Franks, Attorney at Law, P.C., to Brenda Hall, City Clerk, with Exhibit "A", legal description, and Exhibit "B", Affidavit of Acknowledgment and Consent
6. Location maps
7. Staff Report dated March 20, 2020, recommending approval
8. Pertinent excerpts from Planning Commission minutes of March 20, 2020

Participants in discussion

1. Mr. Ryan Knowles, 3812 Dalston Circle, applicant

and the question being upon adopting Ordinance O-1920-43 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Ordinance O-1920-43 was adopted upon Second Reading section by section.

Thereupon, Councilmember Scott moved that Ordinance O-1920-43 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Wilson; and the question being upon adopting Ordinance O-1920-43 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Ordinance O-1920-43 was adopted upon Final Reading as a whole.

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Item 19, being:

MISCELLANEOUS DISCUSSION

Reboot Norman. Councilmember Bierman said she had heard from employees that have been called back to work and do not feel safe doing so and also afraid they will not get their unemployment payments. She said business owners feel pressured to reopen their establishments because the assistance programs available to them were not structured to keep businesses closed. She said these assistance programs were offered but were riddled with problems. She said disinfectant and sanitizing supplies are not readily available to support opening businesses in a safe way. She knows there is no perfect decision that every single resident is going to be happy with. She has agreed with Mayor Clark every step of the way and although she would love to prove her wrong, she will continue to shelter in place at home. She said two of her businesses will not be opening on May 1st and possibly will not open during Phase 2, depending on how things are going. She urged people to contact their state legislators to tell them that these measures are not sufficient and to continue to keep City Council informed on how everyone is doing. She has made almost 300 masks and asked residents to contact her if they want one. She asked everyone to be kind to each other. She said what has distressed her most is how aggressive and nasty people in the community have become over the reopening plan.

Councilmember Carter said that masks are important and urged people to continue social distancing.

Councilmember Petrone said graphs are showing up everywhere to illustrate the growth of the coronavirus and feels it depersonalizes the people that are affected. She said there are real people involved and asked everyone not forget that.

Councilmember Hall said the City will be taking a big step as they move forward on May 1st with Phase 1A. She emphasized that no matter what we do, the virus will continue to be with us for the foreseeable future. She urged everyone to take the recommended precautions including getting used to wearing masks because wearing the mask is a person's way to keep someone else from getting the virus. She asked everyone to please continue to support our local businesses and non-profits because they have all worked hard on their own reopening plan to protect their employees and the customers. She asked for kindness and patience while moving through the phases. She agrees with Councilmember Petrone that it is easy to get distracted by data points and graphs and it is really personal for a lot of citizens. She said the first Cleveland County death had been a good friend and neighbor.

Councilmember Wilson asked those on social media to please show grace when making comments. She said this is the first time anybody has experienced a pandemic and everyone is trying to figure out how to do the right thing for our citizens. She said two of her businesses are shut down even though it was not required for her to shut them down because it was best for her clients and employees. She said she and her partner had lost approximately \$100,000 in revenue after spending 11 years building these businesses, so she knows what people are going through. She appreciates the steady leadership of Mayor Clark during this pandemic. She said she is really disappointed in some of the business leaders that have participated in a "Reopen Now Norman" initiative that has been hateful and ugly. She asked them to reel in their hate a little bit and come together in this community.

Councilmember Scanlon said the "Healthier at Home" initiative could not have happened at a better time. He said he had received many calls about this issue. He appreciates the work that Mayor Clark has done and understands from being in the military that the decision is the Mayor's to make and no one can do it for her. He said it is really a hard job and she has handled it with grace, intelligence, and good manners.

Miscellaneous Discussion, continued:

Reboot Norman, continued. Councilmember Holman said that he works one night a week at the Deli but it had been closed for a month. He said the employees have had no paycheck and will not get one until the end of May and he feels lucky to have a paying job right now. He said supporters of the Deli have donated money and the owner has given that money to his employees. He said the Deli also agrees that it is not wise to open up because of their own health and safety. He said these people do not have health insurance so cannot afford to get sick.

Councilmember Holman said the City of Norman operates almost entirely on sales tax revenue and there is no motivation for anyone to keep the city businesses closed if it was not absolutely necessary. He said the City was in a budget crisis before the pandemic and assured everyone that if Council did not care about the health and safety of the residents, they would open Norman immediately.

Councilmember Scott said she respected the leadership of Mayor Clark and said Council is unified where the virus is concerned and she is really proud of all of Council.

Mr. Evan Dunn, 1400 Garfield Avenue, said he is glad that Councilmembers are on the Norman team. He asked people to think about two things, victory gardens and war bonds.

Ms. Amy Brown thanked the City Council for everything they do.

Mayor Clark thanked Council for all their comments tonight and for their support. She said it is an honor to work with all of them. She said this has been really hard. Every day, she has meetings and calls with doctors and the City's management team, non-profits, and the Chamber of Commerce. She gets comments about businesses wanting to open and saying they are sterile and clean. She said what happens if there is an uptick and the City needs all of their personal protective equipment (PPE). She asked for perspective and kindness. She said if someone would have told her in July that there would be one major issue after another and then there would be a pandemic, she might not have taken this job, but she is here and she is not making any decisions to get re-elected; she is making decisions to keep people safe. That is how she sleeps at night. She said this is not fun for anybody. She is confused when people call her a coward because this has taken every ounce of courage that she has to move forward and not fold under pressure. She said there is one shot to manage this pandemic and one life lost is enough for her. She said those dying are somebody's mother or father. Every life matters, at least in Norman, Oklahoma. She will not be pressured or bullied and is proud of the steps that have been taken. She said the Emergency Management Team is amazing and staff has been flexible and innovative in providing services to Norman residents. She wished she could say everything will get better now but she cannot. She said thousands of young people throughout the nation will be coming back to Norman in the fall so we need to do everything we can to be safe and smart. She said it is an honor to represent this community even in the worst of times. She is confident that the best is yet to come. She asked people not to say things that they cannot take back because we are better than that.

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Economic Strike Team. Councilmember Carter said this would be the ideal opportunity for the City Manager to form his Economic Strike Team concept. He said the City Manager would need a staff person and most of the programs designed during an economic downturn were to increase employment. He said Norman is facing a 20% unemployment rate with COVID-19 and the oil industry. He said anything that takes people from unemployment to employment, even it is a temporary situation, will help. He said events in Norman have been postponed and if there is a way to use economic stimulus locally to help augment the Norman Music Festival.

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Miscellaneous Discussion, continued:

Least Tern. Councilmember Carter said a Least Tern is a small tern that feeds on fish and have a really unusual mating behavior. He said the male courts a female with a fish in his mouth. He said he had provided a map to Council showing all of the threatened habitat area. He said these terns migrate from South America to North America, come to Oklahoma in the summer months and nest on the South Canadian River. He said several years ago, the Environmental Protection Agency partnered with the University of Oklahoma Biological Survey to protect and monitor the Least Terns because this endangered species was down to 2,000 and now there are 18,000 in North America. He said OU students would go out and mark the nesting areas along the river bottom south of Norman. He said he hoped that something would be developed as part of NORMAN FORWARD that would help children learn about and watch these birds.

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Small Business Recovery Program. Councilmember Petrone said it was important to decide what the City wanted out of the Small Business Recovery Program. She asked if the money would be used for the paycheck protection program to pay workers who are not working or for lost profits. She said Council needs to decide what they want to accomplish with the money and how the plan would be implemented. She suggested appointing a steering committee to put the plan together because it is not just small business owners who do not know how they can pay their bills. She suggested several different options.

Councilmember Hall said the Small Business Recovery Program will not be until August and she is intrigued about what our options are as we move forward.

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Census Forms. Councilmember Hall urged people to turn in the census forms.

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Thanks to Ward 4. Councilmember Hall thanked all of the Ward 4 residents for reaching out to her and sharing their thoughts. She said there are so many big issues for Council to tackle and they are all doing the best they can.

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Crime Prevention Town Hall. Councilmember Wilson said she is working on a project with Police Chief Kevin Foster and Major David Teuscher to create a Crime Prevention Town Hall. She said crime has increased in Ward Five and as a community there needs to be a way to protect one another and property in a significant way. She hopes that the Cleveland County Sheriff's Department will help with this and plans to reach out to them. She said the meetings will be conducted via Zoom to answer questions about how to protect residents' property and explain what a person's rights are.

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Veteran's Center. Councilmember Scanlon said the residents of the Veteran's Center have been totally isolated during the pandemic. He said some of the staff at the center conducted some drive by parades today. He said Mayor Clark led the parade and he was next in line. He said the parade took over 30 minutes starting with the cars that had parked in the parking lot at Immanuel Baptist Church crossing Robinson Street and proceeding onto the Veteran's Center grounds to let the clients know they cared. He said there are parades scheduled for Wednesday and Thursday, April 29th and 30th, at 2:00 p.m.

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Miscellaneous Discussion, continued:

Taxes. Councilmember Scott reminded Council there are some options for funding such as a municipal income tax on high income earners.

Mayor Clark said if the Oklahoma Constitution that ties cities to sales tax is not changed, there is no hope for this state. She said every single city in Oklahoma is feeling the pinch.

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NORMAN FORWARD Projects. Ms. Cindy Rogers, 633 Reed Avenue, said she appreciated the economic business strategy to support local businesses. She asked what the plan was to cover the cost of NORMAN FORWARD projects included in the University North Park TIF Project Plan if the proposed \$89,000,000 Bond is not approved by voters and what are the deadlines for construction for the projects. She asked how these projects will be impacted if the bond vote is delayed until August and beyond.

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Upcoming Events:

Ward 5 Meetings. Councilmember Wilson said there were no Ward 5 meetings until the fall.

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Item 20, being:

ADJOURNMENT

The Mayor adjourned the meeting at 8:31 p.m.

ATTEST

Brenda Hill
City Clerk

R.D.C.
Mayor

