

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

October 11, 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 11th day of October, 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, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
ABSENT:	None

The Pledge of Allegiance was led by Cub Scout Troop 211.

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 13, 2016
CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 27, 2016
CITY COUNCIL MINUTES OF SEPTEMBER 27, 2016
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 27, 2016
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 27, 2016
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 27, 2016.

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

- Items submitted for the record
1. Text File GID-1617-11 dated October 6, 2016, by Brenda Hall, City Clerk
 2. City Council Conference minutes of September 13, 2016
 3. City Council Special Session minutes of September 27, 2016
 4. City Council minutes of September 27, 2016
 5. Norman Utilities Authority minutes of September 27, 2016
 6. Norman Municipal Authority minutes of September 27, 2016
 7. Norman Tax Increment Finance Authority minutes of September 27, 2016

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, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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:

PRESENTATION OF AN AWARD FOR LAW ENFORCEMENT RE-ACCREDITATION TO THE NORMAN POLICE DEPARTMENT FROM THE OKLAHOMA ASSOCIATION OF CHIEFS OF POLICE.

Councilmember Heiple acknowledged Law Enforcement Re-Accreditation from the Oklahoma Association of Chiefs of Police to the Norman Police Department, which motion was duly seconded by Councilmember Clark;

Items submitted for the record

1. Text File GID-1617-25 dated September 14, 2016, by John Stege, Professional Standards

Participants in discussion

1. Mr. Phil Cotton, Executive Director of the Oklahoma Association of Chiefs of Police, presented the award to Sergeant John Stege and Police Chief Keith Humphrey, Norman Police Department

and the question being upon acknowledging Law Enforcement Re-Accreditation from the Oklahoma Association of Chiefs of Police to the Norman Police Department, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Law Enforcement Re-Accreditation from the Oklahoma Association of Chiefs of Police to the Norman Police Department was acknowledged.

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Item 5, being:

CONSENT DOCKET

Councilmember Heiple moved that Item 6 through Item 19 excluding Item 16, be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Holman; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 19 excluding Item 16, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Item 6 through Item 19 excluding Item 16 were placed on the consent docket by unanimous vote.

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Item 6, being:

CONSIDERATION OF ORDINANCE O-1617-5 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 PROFESSIONAL OFFICE IN THE R-3, MULTI-FAMILY DWELLING DISTRICT FOR LOTS THREE (3) AND FOUR (4) IN BLOCK FOURTEEN (14) OF CLASSEN-MILLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (916 CLASSEN BOULEVARD)

Councilmember Heiple moved that Ordinance O-1617-5 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Karjala;

Item 6, continued:

Items submitted for the record

1. Text File O-1617-5 dated August 18, 2015, by Janay Greenlee, Planner
2. Ordinance O-1617-5
3. Location map
4. Planning Commission Staff Report of September 8, 2016, recommending approval
5. City of Norman Predevelopment Summary PD 16-12 dated August 25, 2016, from Gale Hobson and Erin Starkey for property located at 916 Classen Boulevard
6. Protest area map dated September 8, 2016, containing 5.0% protest within notification area
7. Letter of protest received September 1, 2016, from John R. Lambert, Co-Managing Member, Flood Street Properties, L.L.C., to Norman Planning Commission
8. Pertinent excerpts from Planning Commission minutes of September 8, 2016

and the question being upon the Introduction and adoption of Ordinance O-1617-5 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1617-5 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE O-1617-7 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN LOT 17A OF BLOCK 4, N.R.H. MEDICAL PARK WEST SECTION 4, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Heiple moved that Ordinance O-1617-7 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File O-1617-7 dated August 18, 2015, by Ken Danner, Subdivision Development Manager
2. Ordinance O-1617-7
3. Easement E-1617-11 with Exhibit "A", legal description and location map
4. Location map
5. Memorandum dated August 8, 2016, from Brenda Hall, City Clerk, to Rone Tromble, Administrative Technician IV; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; and Jane Hudson, Principal Planner
6. Petition to close easements in NRH Medical Park West Addition, Section 4, Lot 17A, received August 8, 2016, from Stephen L. McCaleb, Attorney Agent, Derryberry & Naifeh, L.L.P., representing the applicant, Aria Development, L.L.C., to City of Norman in care of City Clerk Brenda Hall, Norman City Hall, Norman, OK with Exhibit "A", legal description and location map
7. Radius Map dated August 5, 2016
8. Letter of no objection dated August 29, 2016, from Drew Nixon, Right-of-Way Agent, ONE Gas Real Estate Services, to Brenda Hall, City Clerk, and Drew Norlin, Subdivision Development Coordinator
9. Letter of no objection dated August 26, 2016, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator, Norman Planning Commission
10. Letter of no objection dated August 29, 2016, from Pat Mason, AT&T Oklahoma, to Ken Danner, Subdivision Manager
11. Email of no objection dated August 26, 2016, from Wes White, Oklahoma Electric Cooperative, to Ken Danner and Rone Tromble
12. Planning Commission Staff Report of September 8, 2016, recommending approval
13. Pertinent excerpts from Planning Commission minutes of September 8, 2016

Item 7, continued:

and the question being upon the Introduction and adoption of Ordinance O-1617-7 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1617-7 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File RPT-1617-17 dated October 6, 2016, by Brenda Hall, City Clerk
2. Change Order No. Two to Contract K-1516-88
3. Memorandum dated September 27, 2016, from Angelo Lombardo, Transportation Engineer, through Shawn O'Leary, Director of Public Works, to Steve Lewis, City Manager
4. Change Order detail Itemizing additional labor and equipment rental costs from Missouri Neon Company

Participants in discussion

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

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 Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 9, being:

SUBMISSION OF AND ACKNOWLEDGING RECEIPT OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2016, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

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

Items submitted for the record

1. Text File RPT-1617-16 dated September 29, 2016, by Brenda Hall, City Clerk
2. Letter dated September 27, 2016, from Gray, Blodgett & Company, P.L.L.C., to the Board of Trustees, Pioneer Library System with attached Adjusting Journal Entries dated June 30, 2016
3. Pioneer Library System Financial Statements for the Year Ended June 30, 2016, prepared by Gray, Blodgett, and Company, P.L.L.C., Certified Public Accountants

Item 9, continued:

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 Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 10, being:

CONSIDERATION OF GRANTING EASEMENT E-1617-10 TO OKLAHOMA GAS AND ELECTRIC COMPANY TO ALLOW CONSTRUCTION, OPERATION, AND MAINTENANCE OF TRANSMISSION LINES IN CONJUNCTION WITH THE PHASE 2 WATER RECLAMATION FACILITY IMPROVEMENTS.

Councilmember Heiple moved that Easement E-1617-10 be granted and the execution thereof be authorized, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File E-1617-10 dated September 21, 2016, by Mark Daniels, Utilities Engineer
2. Easement E-1617-10, with Exhibit "A," legal description and location map

and the question being upon granting Easement E-1617-10 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Easement E-1617-10 granted; and the execution thereof was authorized.

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Item 11, being:

CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY COS-1617-1 FOR MORNING DOVE ACRES WITH A VARIANCE IN THE PRIVATE ROAD WIDTH REQUIREMENTS FROM 20 FEET TO 12 FEET AND ACCEPTANCE OF EASEMENTS E-1617-12 AND E-1617-13. (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 96TH AVENUE S.E. AND POST OAK ROAD)

Councilmember Heiple moved that Norman Rural Certificate of Survey COS-1617-1 for Morning Dove Acres with a variance in the private road width requirements from 20 feet to 12 feet be approved, Easements E-1617-12 and E-1617-13 be accepted, and the filing of the certificate of survey and easements with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File COS-1617-1 dated August 18, 2016, by Ken Danner, Subdivision Development Manager
2. Location map
3. Norman Certificate of Survey COS-1617-1
4. Easement E-1617-12
5. Easement E-1617-13
6. Letter requesting variance dated August 30, 2016, from D. Mike Dossey, PLS No. 1431, VMI Inspection, Inc., to City of Norman Planning Commission and City of Norman Staff Members

Item 11, continued:

Items submitted for the record, continued

7. Planning Commission Staff Report dated September 8, 2016, recommending approval
8. Greenbelt Commission final comments dated August 15, 2016
9. Pertinent excerpts from Planning Commission minutes of September 8, 2016

and the question being upon approving Norman Rural Certificate of Survey COS-1617-1 for Certificate of Survey COS-1617-1 for Morning Dove Acres with a variance in the private road width requirements from 20 feet to 12 feet and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES: None

The Mayor declared the motion carried and Norman Rural Certificate of Survey COS-1617-1 for Certificate of Survey COS-1617-1 for Morning Dove Acres with a variance in the private road width requirements from 20 feet to 12 feet approved; Easements E-1617-12 and E-1617-13 were accepted and the filing of the certificate of survey and easements with the Cleveland County Clerk was directed.

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Item 12, being:

AMENDMENT NO. TWO TO CONTRACT K-1415-34: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., INCREASING THE CONTRACT BY \$154,998 FOR A REVISED CONTRACT AMOUNT OF \$538,410 AND EXTENDING THE CONTRACT UNTIL AUGUST 31, 2017, IN ORDER TO CONTINUE PERMANENT WASTEWATER FLOW METERING SERVICES.

Acting as the Norman Utilities Authority, Trustee Heiple moved that Amendment No. Two to Contract K-1415-34 with RJN Group, Inc., increasing the contract amount by \$154,998 for a revised contract amount of \$538,410 and extending the contract until August 31, 2017, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Karjala;

Items submitted for the record

1. Text File K-1415-34, Amendment No. Two, dated September 22, 2016, from Mark Daniels, Utilities Engineer
2. Amendment No. Two to Contract K-1415-34 with Attachment A, Schedule; Attachment B, Scope of Services; Attachment C, Compensation; and Exhibit 1, Project Location Map
3. Contract K-1415-34 with Attachment A, Schedule; Attachment B, Scope of Services; Attachment C, Compensation; and Exhibit 1, Project Location Map
4. Purchase Requisition 0000270202 dated September 22, 2016, in the amount of \$154,998 to RJN Group, Inc.

and the question being upon approving Amendment No. Two to Contract K-1415-34 with RJN Group, Inc., increasing the contract amount by \$154,998 for a revised contract amount of \$538,410 and extending the contract until August 31, 2017 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Chairman Miller

NAYES: None

The Chairman declared the motion carried and Amendment No. Two to Contract K-1415-34 with RJN Group, Inc., increasing the contract amount by \$154,998 for a revised contract amount of \$538,410 and extending the contract until August 31, 2017, approved; and the execution thereof was authorized.

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Item 13, being:

FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT K-1516-135: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RGROUP, INC., FOR THE NORMAN FORWARD GRIFFIN PARK SOCCER FIELD REGRADING PROJECT, SECTION 1 (SOCCER FIELD REGARDING).

Councilmember Heiple moved that the project be accepted and final payment in the amount of \$14,227 be directed to RGroup, Inc., which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File K-1516-135, Final, dated September 28, 2016, by Matt Hendren, Parks Superintendent
2. Photographs of completed project
3. Purchase Order 277090 dated May 17, 2016, in the amount of \$120,616 subtracting payments totaling \$106,389 leaving a balance of \$14,227 to RGroup, Inc.

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

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

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$14,227 be directed to RGroup, Inc.

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Item 14, being:

CONTRACT K-1617-66: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND PROFESSIONAL ENGINEERING CONSULTANTS, P.A., IN THE AMOUNT OF \$55,800 TO PROVIDE ENGINEERING SERVICES RELATED TO FINAL DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE LIFT STATION D FORCE MAIN REHABILITATION PROJECT, PHASE 2, LOCATED ALONG 12TH AVENUE N.E., BETWEEN ROCK CREEK ROAD AND GRIFFIN PARK.

Acting as the Norman Utilities Authority, Trustee Heiple moved that Contract K-1617-66 with Professional Engineering Consultants, P.A., in the amount of \$55,800 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Karjala;

Items submitted for the record

1. Text File K-1617-66 dated September 21, 2016, by Mark Daniels, Utilities Engineer
2. Contract K-1617-66 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation
3. Purchase Requisition 0000270833 dated October 6, 2016, in the amount of \$55,800 to Professional Engineering Consultants, P.A.

and the question being upon approving Contract K-1617-66 with Professional Engineering Consultants, P.A., in the amount of \$55,800 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:

Trustees Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Chairman Miller

NAYES:

None

The Chairman declared the motion carried Contract K-1617-66 with Professional Engineering Consultants, P.A., in the amount of \$55,800 approved; and the execution thereof was authorized.

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Item 15, being:

RESOLUTION R-1617-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, URGING CITIZENS TO PATRONIZE THOSE BUSINESSES IMPACTED BY THE LINDSEY STREET ROAD AND BRIDGE REPLACEMENT PROJECTS; PLEDGING A CONTINUED PARTNERSHIP WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION TO ENSURE ACCESS TO BUSINESSES AND ADEQUATE WAYFINDING SIGNAGE; AND WAIVING PERMIT FEES AND OTHER REQUIREMENTS FOR TEMPORARY SIGNAGE THAT DOES NOT IMPEDE CONSTRUCTION OR CREATE AN UNSAFE ENVIRONMENT FOR THE DURATION OF THE LINDSEY STREET PROJECT.

Councilmember Heiple moved that Resolution R-1617-34 be adopted, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File R-1617-34 dated September 22, 2016, by Sara Kaplan, Retail Marketing Coordinator
2. Resolution R-1617-34

Participants in discussion

1. Mr. John Woods, Executive Director of the Norman Chamber of Commerce

and the question being upon adopting Resolution R-1617-34, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

Councilmember Castleberry

The Mayor declared the motion carried and Resolution R-1617-34 was adopted.

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Item 16, being:

RESOLUTION R-1617-36: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROVIDING ESSENTIAL INFORMATION TO THE CITIZENS OF NORMAN CONCERNING STATE QUESTION 777 (SQ 777), THE PROPOSED AMENDMENT TO THE OKLAHOMA CONSTITUTION, WHICH IS PLANNED FOR A STATEWIDE VOTE ON THE TUESDAY, NOVEMBER 8, 2016, STATE GENERAL ELECTION BALLOT; INFORMING CITY VOTERS OF THE POTENTIAL ADVERSE EFFECTS OF SQ 777 ON THE ABILITY OF THE CITY OF NORMAN TO REGULATE LAND USE ACTIVITIES AND TO ENACT OTHER ORDINANCES AND REGULATIONS WITHIN THE CITY FOR THE PROTECTION OF THE HEALTH, SAFETY, AND WELFARE OF ITS CITIZENS; AND URGING ALL REGISTERED VOTERS WITHIN NORMAN, BEFORE CASTING THEIR VOTES ON SQ 777, TO CAREFULLY STUDY AND CONSIDER ALL THE POTENTIAL ADVERSE EFFECTS OF SQ 777 ON THE HEALTH, SAFETY, AND WELFARE OF NORMAN RESIDENTS.

Councilmember Hickman moved that Resolution R-1617-36 be adopted, which motion was duly seconded by Councilmember Heiple;

Items submitted for the record

1. Text File R-1617-36 dated June 22, 2016, by Leah Messner, Assistant City Attorney
2. Resolution R-1617-36
3. News Release from Oklahoma Municipal League entitled "Opposition Mounting on SQ 777 Regarding Constitutional Amendment for Farming" written by the Honorable Randy Ross, Mayor, City of Choctaw

Item 16, continued:

and the question being upon adopting Resolution R-1617-36, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-1617-36 was adopted.

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Item 17, being:

RESOLUTION R-1617-37: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CHANGING A STREET NAME FROM KESTRAL COURT TO LALEH COURT IN THE FINAL PLAT OF EAGLE CLIFF SOUTH ADDITION, SECTION 5, CITY OF NORMAN, OKLAHOMA.

Councilmember Heiple moved that Resolution R-1617-37 be adopted, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File R-1617-37 dated September 23, 2016, by Ken Danner, Subdivision Development Manager
2. Resolution R-1617-37
3. Location map
4. Location map of Eagle Cliff South Addition, Section 5, showing existing street name of Kestral Court
5. Location map of Eagle Cliff South Addition, Section 5, showing proposed street name of Laleh Court
6. Final plat of Eagle Cliff South Addition, Section 5 filed May 21, 2003
7. Location map of Sutton Place Addition, Section 7, showing existing street name of Kestrel Court

and the question being upon adopting Resolution R-1617-37, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-1617-37 was adopted.

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Item 18, being:

RESOLUTION R-1617-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF THE CLAIM FILED BY JASON SIMPSON UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF JASON SIMPSON V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. 2013-05574 J; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT 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 JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Heiple moved that Resolution R-1617-38 be adopted and payment of claims totaling \$90,000 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Karjala;

Item 18, continued:

Items submitted for the record

1. Text File R-1617-38 dated October 4, 2016, by Jeanne Snider, Assistant City Attorney
2. Resolution R-1617-38
3. Purchase Requisition 0000270684 dated October 4, 2016, in the amount of \$90,000 to Gary Prochaska and Jason Simpson
4. Purchase Requisition 0000270686 dated October 4, 2016, in the amount of \$1,421.20 to Workers Compensation Administrative Fund
5. Purchase Requisition 0000270687 dated October 4, 2016, in the amount of \$532.95 to Special Occupational Health and Safety Fund
6. Purchase Requisition 0000270688 dated October 4, 2016, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition 0000270690 dated October 4, 2016, in the amount of \$131.64 to Cleveland County Court Clerk

and the question being upon adopting Resolution R-1617-38 and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Resolution R-1617-38 adopted; and payment of claims totaling \$90,000 which constitutes judgment against the City of Norman was directed.

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Item 19, being:

RESOLUTION R-1617-39: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$8,426.66 FROM THE REIMBURSEMENTS/OTHER CITY EXPENSE ACCOUNT FOR A PASS THROUGH PAYMENT TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR INTERSECTION IMPROVEMENTS AT STATE HIGHWAY 9 INTO BELLATONA ADDITION.

Councilmember Heiple moved that Resolution R-1617-39 be adopted, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File R-1617-39 dated October 4, 2016, by Tim Miles, Capital Projects Engineer
2. Resolution R-1617-37
3. Bellatona Addition Plan Profile
4. Contract K-1415-100
5. Resolution R-1617-39

and the question being upon adopting Resolution R-1617-39, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Resolution R-1617-39 was adopted.

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Item 20, being:

PUBLIC HEARING REGARDING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$16,283 TO THE CITY OF NORMAN AND CLEVELAND COUNTY FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF \$14,655 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR EQUIPMENT AND TRAINING (AND ASSOCIATED TRAVEL, APPROVAL OF CONTRACT K-1617-65 AND BUDGET APPROPRIATION FROM THE GRANT REVENUE ACCOUNT.

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

Items submitted for the record

1. Text File K-1617-65 dated September 20, 2016, by Sergeant John Stege, Professional Standards
2. Contract K-1617-65 including Attachment 1, Project Abstract; Attachment 2, Program Narrative; Attachment 3, Budget and Budget Narrative; Attachment 4, Review Narrative; Attachment 5, Disclosure of Pending Applications; Attachment 6, Interlocal Agreement; Attachment 7, Applicant Disclosure of High Risk Status; letter dated September 7, 2016, from Denise O'Donnell, Director, Office of Justice Programs, Bureau of Justice Assistance, United States Department of Justice; to Mr. Steve Lewis, City of Norman; letter dated September 7, 2016, from Michael L. Alston, Director, Office for Civil Rights, Office of Justice Programs, United States Department of Justice, to Mr. Steve Lewis, City of Norman; Office of Justice Programs, Bureau of Justice Assistance, and United States Department of Justice Grant Award; Memorandum to Official Grant File from Orbin Terry, NEPA Coordinator, Office of Justice Programs, Bureau of Justice Assistance, United States Department of Justice; Grant Manager's Memorandum, Part 1, Project Summary; and Application for Federal Assistance

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

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. Keith Humphrey, Chief of Police

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

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and the public hearing was closed.

Item 20, continued:

Thereupon, Councilmember Heiple moved that a grant in the amount of \$16,283 from DOJ/BJA through the JAG Program to be used by the Police Department be accepted; Contract K-1617-65 be approved; the execution thereof be authorized; Other Revenue/JAG Grant (022-0000-331.13-33) be increased by \$16,283; \$16,283 be appropriated to Project GP0030, JAG Grant, designating \$5,614 to Workshops and Seminars (022-6017-421.46-04), \$9,041 to Plant and Operating Equipment/Other (022-6017-421.51-99), and \$1,628 to Miscellaneous Pass-Thru Refunds (022-6017-421.47-54); and payment in the amount of \$1,628 be directed to Cleveland County upon receipt of invoice, which motion was duly seconded by Councilmember Hickman; and the question being upon accepting a grant in the amount of \$16,283 from DOJ/BJA through the JAG Program to be used by the Police Department and upon the subsequent approval, authorization, increase, appropriation, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and a grant in the amount of \$16,283 from DOJ/BJA through the JAG Program to be used by the Police Department accepted; Contract K-1617-65 was approved; the execution thereof was authorized; Other Revenue/JAG Grant (022-0000-331.13-33) was increased by \$16,283; \$16,283 was appropriated to Project GP0030, JAG Grant designating \$5,614 to Workshops and Seminars (022-6017-421.46-04), \$9,041 to Plant and Operating Equipment/Other (022-6017-421.51-99), and \$1,628 to Miscellaneous Pass-Thru Refunds (022-6017-421.47-54); and payment in the amount of \$1,628 will be directed to Cleveland County upon receipt of invoice.

* * * * *

Item 21, being:

CONSIDERATION OF ORDINANCE O-1617-8 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 HISTORIC DISTRICT DESIGNATION TO A PORTION OF SOUTHRIDGE ADDITION AND CLASSEN-MILLER ADDITION, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED BETWEEN MACY AVENUE ON THE NORTH, SHAWNEE STREET ON THE SOUTH, CLASSEN BOULEVARD ON THE WEST, AND OKLAHOMA AVENUE ON THE EAST)

Ordinance O-1617-8 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 27, 2016, Councilmember Holman moved that Ordinance O-1617-8 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File O-1617-8 dated August 18, 2016, by Anais Starr, Historic Preservation Planner
2. Ordinance O-1617-8
3. Location map
4. Staff Report dated September 8, 2016, recommending approval
5. Map A, Proposed Southridge Historical District
6. Map B, Southridge Historical Survey Project Area
7. Map C, Proposed Southridge Historic District: Historic District Overlay Zoning
8. Map D, Proposed Southridge Historic District: Structures and Parcels with Characteristics Contributing to Historic Designation
9. Memorandum dated August 31, 2016, from Anais Starr, Planner II, to Chair and Members, Norman Planning Commission
10. Boyd Street petition containing signatures of support from 20 property owners
11. Macy Street petition containing signatures of support from 13 property owners
12. Oklahoma Avenue petition containing no signatures of support
13. Okmulgee Street petition containing signatures of support from 13 property owners
14. Shawnee Street petition containing signatures of support from 14 property owners
15. Tulsa Street petition containing signatures of support from 23 property owners
16. Pertinent excerpts from Planning Commission minutes of September 8, 2016

Item 21, continued:

Participants in discussion

1. Ms. Cheryl Clayton, 503 Tulsa Street attorney representing the applicant
2. Mr. Paul Johnston, 511 Shawnee Street, applicant
3. Ms. Susan Connors, Director of Planning and Community Development
4. Ms. Anais Starr, Historic Preservation Planner
5. Ms. Nadine Jewell, 2426 Brentwood, asked questions

and the question being upon adopting Ordinance O-1617-8 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1516-8 was adopted on Second Reading section by section.

Thereupon, Councilmember Hickman moved that Ordinance O-1617-8 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1617-8 upon Final Reading as a whole, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-1617-8 was adopted on Final Reading as a whole.

* * * * *

Item 22, being:

MISCELLANEOUS DISCUSSION

Lindsey Street Resolution. Mr. Mike Rainer, 4705 Augusta Drive, commended Councilmember Karjala for bringing the resolution supporting Lindsey Street merchants forward.

Councilmember Allison also thanked Councilmember Karjala for working with the Lindsey Street merchants to coordinate this evening. He said he goes to Lindsey Street as much as he possibly can. He said these merchants have been having a hard time because of the construction and urged people to support them.

Councilmember Karjala asked everyone to visit Lindsey Street businesses.

Councilmember Chappel said he likes to see City Council united together supporting this issue.

*

Miscellaneous Discussion, continued:

Oil Well Violations. Mr. Mike Rainer, 4705 Augusta Drive, said he had planned on speaking about this problem several weeks ago but instead agreed to allow the Oil and Gas Inspector to work with the company who was in violation. He presented several slides of alleged violations at the Madole #9 well site located north of Cedar Lane west of the railroad tracks. He said the inspection report for Madole #9 was done on April 5, 2016, which listed the required fencing was in place. He provided a slide showing there was not a gate provided by the oil well company, only a gate placed there by the owner of the property and there was no signage although signage is required. He said the only security feature was a chain placed there by the owner of the property and the only visible fencing was used to keep the cattle out. He saw the City of Norman Oil and Gas Inspector go into the site and the inspector was aware of what was going on. On Sunday, October 9th, he received permission from the property owner to go onto the property. He said the area was partially fenced but there is an area that is wide open which contains dangerous materials. He said the wellhead is exposed and the fence is upside down. He found an open gate to a tank battery and when he investigated he found a large oil spill and wanted Council to be aware of it. He said the operator spread wood shavings out on the oil literally adding fuel to the fire. He said the Corporation Commission shut down the lease prior to this because of various problems and the salt water disposal well on the other side of Highway 77 was shut down as well. He asked why the City of Norman has not looked into this and why they had not been shut down. He requested that the City shut this company down until they are compliant with all ordinances.

Councilmember Holman said the presentation was disturbing and he had no idea until this evening about this occurrence. He said this spill was only a few hundred feet from residences and it was very concerning that it was not being monitored properly. He thanked Mr. Rainer for providing the presentation. He said the amendments to the oil and gas regulations had taken a couple of years to complete and it is important that the ordinance be enforced.

Councilmember Castleberry said he has problems with people who intentionally break rules. He is very concerned about this but is confident that Staff will follow up on it.

Ms. Susan Connors, Director of Planning and Community Development, said the Oil and Gas Inspector went to the site on September 14th and at that time there was a “work-over” rig present. She said when a “work-over” rig is on a well, it is not required to be fenced. She said since that time, the “work-over” rig has been taken down, the posts have been put in but the fence is not completed. She said the operator was told today that the fence must be up by Friday, October 14th. She said the leaking tank battery occurred on September 13th and the operator immediately contacted the Oklahoma Corporation Commission and the City of Norman Oil and Gas Inspector. Both were on site that same day. She said the Oklahoma Corporation Commission has shut down all operations of Trinity Resources and the operator is not moving forward on any of their wells. The Oklahoma Corporation Commission is in control of the site now because of the size of the spill which contained both oil and salt water.

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National Night Out. Councilmember Hickman said he appreciated the Norman Police Department for their hard work and efforts to make National Night Out a successful event. He was told that Norman Police Officers donate 16,000 hours of their time for community engagement and policing.

Councilmember Holman said he went to Cobblestone Creek for National Night Out and also got the opportunity to visit the Triangle Fraternity which is comprised of engineering students. He said he has always been interested in seeing the inside of this house and the fraternity president provided a tour. He really enjoyed his time there.

Councilmember Chappel said he appreciated the Police and Fire Departments coming to Ward 5 to visit the neighborhoods. He feels the City has a great public safety group working for the citizens.

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Norman Addiction Information Center Panel. Councilmember Hickman said Friday, October 14th; he would be serving on a panel regarding underage drinking at the Norman Addiction Information Center.

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2nd Friday Art Walk. Councilmember Hickman said Friday, October 14th is the Second Friday Art Walk in historic downtown Norman. He invited everyone to attend for good food, music, and art.

*

Community Dog Walk. Councilmember Hickman announced that the Community Dog Walk would be Saturday, October 15th, from 10:00 a.m. to noon at Annie's Ruff House located at 1043 North University Boulevard.

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Animal Welfare Facility Fall Festival. Councilmember Hickman announced that the Fall Festival would be held Saturday, October 22nd at the Animal Welfare Center at 3428 South Jenkins Avenue from 11:00 a.m. to 4:00 p.m. He said costumes would be available for the animals and there would be games and activities for the children.

*

University Students in the Audience. Councilmember Clark welcomed the students visiting from the University of Oklahoma.

Councilmember Holman informed the students that the ward he represents contains almost the entire University including the student housing. He told them to feel free to contact him to talk about Norman or City issues. He said his contact information is on the City website.

*

Indigenous People's Day. Councilmember Clark said the University of Oklahoma has recently celebrated the second Indigenous People's Day. She said she played stickball during the event and really enjoyed it. She would like to see Norman get involved in this event as well.

*

Voices of Norman. Councilmember Clark congratulated the Xenia Institute for hosting the event "Voices of Norman", on Monday, October 10th. She is very excited to see the continuation of individual ward meetings to continue this important conversation.

Councilmember Holman said he attended the event which was done to build better relationships between the community and law enforcement. He said it was very well attended and there had been some great questions, although some of the topics were very difficult to talk about in public. He said these types of conversations need to happen in order to keep Norman from becoming one of the communities that is on the news.

*

League of Women Voters Candidate Forum. Councilmember Clark said the League of Women Voters would be hosting a candidate forum on Monday, October 17th at Norman High School at 7:00 p.m. She encouraged everyone to attend to learn about all of candidates and state questions to be voted on November 8th.

*

Read and Ride. Councilmember Clark said the CART "Read and Ride" event would be Saturday, October 22nd. She invited everyone to meet her and Doug Myers, Director of CART, at 10:10 a.m. at Bus Stop #49 which is just south of Homeland at 12th Avenue N.E. and Alameda to ride the bus with them. She said the full tour would take approximately one hour. She will be reading books to all the children and Mr. Myers will provide information about Norman and CART services.

*

Miscellaneous Discussion, continued:

Illegal Dumping. Councilmember Castleberry said he recently heard about illegal dumping in the Canadian River. He said if the construction company doing this is found to be illegally dumping without a permit, then they should pay the penalty. He said a strong message should be sent that the penalty will be greater than the benefit for those who pollute in Norman.

Councilmember Karjala said she has been attending Flood Plain meetings since May about this problem and it is looking like Sherwood Construction has violated the existing permit. She has made it very clear that the City should not condone businesses polluting and City Council needs to be united on this. She has heard from several of her constituents who are very unhappy and there has also been coverage on the news about this.

Mr. Shawn O’Leary, Director of Public Works, said the City has been working on this issue for the past five months. He said it has not been established that illegal dumping has taken place but there have been concerns about what was placed in the pit. He said for those who have not followed the case, the pit is located just southeast of Highway 9 and Interstate 35 where Sherwood Construction is working for the Oklahoma Department of Transportation (ODOT) on the Interstate 35 Project. He said Sherwood Construction acquired a floodplain permit from the City of Norman in October of 2013 for a barrow pit. He defined a barrow pit as removal of dirt and sand for use on a road project. He said no permit was acquired for filling the pit and when they applied for one, the Floodplain Committee rejected the permit application. Sherwood Construction appealed to the Board of Adjustment in August, 2016, and the Board of Adjustment sent the case back to the Floodplain Committee which met Monday, October 3rd, and postponed action, by a vote of 7-0, to dig a test hole in the fill area to determine if there was illegal material or pollution placed in the pit. He said staff has been working for the last week to establish a protocol and timeline. This item is scheduled to come back to the Floodplain Committee on November 7th.

*

Norman North Football Game. Councilmember Castleberry invited everyone to come to the football game Friday night between Norman North High School and Tulsa Union. He said the game would be at Norman High School Harve Collins Field.

*

Passing of Larry Walker. Councilmember Allison announced the loss of Larry Walker, a long-time Norman supporter and volunteer. Mr. Walker served as Chairman of the Public Arts Board since its inception. He asked everyone to keep Mr. Walker’s family in their thoughts and prayers and thanked him posthumously for his service to the City.

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Shop Norman. Councilmember Heiple urged everyone to “Shop Norman.”

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Environmental Concerns. Mayor Miller said City Council is in tune to environmental concerns and she appreciates members of the public who pay a lot of attention to these concerns and do a lot of study on their own. She says she also knows that City Staff is concerned about the environment and over the years there have been many rules put into place to add protection of the community’s resources. Sometimes the bureaucratic processes do not work as quickly as we would like but when we stall out, it is important to ask what has been done and she appreciates Mr. Lewis calling staff members up to show that these issues are being worked on. She doesn’t like it when these kinds of issues happen and she wasn’t even aware there was a problem. She is usually relieved to find out staff did know about the problem and things are being done. She does not want to leave the impression with the public that the City is not concerned and it is important that they are getting regular reports about what steps are being taken.

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City Manager's Report

Sales Tax Update. October sales tax revenue which represents sales during the month of August, 2016, was \$4,899,396, down \$130,252 or -2.59% from October 2015 levels. Sales tax receipts are now 3.86% below last year's level.

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NORMAN FORWARD UPDATE

Westwood Family Aquatic Center. Phase 2 of the demolition and construction began this week. The Oklahoma State Department of Health has given final approval to move forward with the project and a notice to proceed was issued to W. L. McNatt and Company to begin work on Friday, October 14th. The project should be substantially complete and pool is set to open in the summer of 2017.

#

Comprehensive Plan Meetings. Moore, Iacofano, Goltsman, Inc., (MIG), has been updating the Comprehensive Plan. To follow the process, go to PlanNorman.com which has a lot of information about the process going forward. The Steering Committee which was appointed by the City Council will have their third meeting on Wednesday, October 12th, in the Lowry Room at the Norman Public Library from 6:00 p.m. to 8:30 p.m. Another public meeting will be held in the early spring to gather additional public feedback. There will be a Community Event booth set up at the Second Friday Artwalk on Friday, October 14th in front of the MainSite Art Gallery. The second opportunity for people to provide feedback will be at Campus Corner on Saturday, October 15th from 8:00 a.m. to 11:00 a.m. Norman.

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Comprehensive Plan. The First Community Workshop was September 15th which identified Norman's assets in the community, such as park and trail systems, and also key challenges in the community such as the cost of living, stormwater management, pedestrian and bicycle connectivity. These issues compact the livability and our quality of life in the community.

#

Animal Welfare News. With the assistance of a very kind donation, the City was able to purchase an adoption and rescue trailer which was approved by City Council in February, 2016. The trailer has been outfitted and is available for use at off-site adoption events, community events, disaster response, and reinforcement investigation when there are a large number of animals that have been confiscated or transported to the Animal Welfare Center. The trailer's first event was October 2nd.

A new part-time veterinarian, Ms. Amy Tyler, D.V.M., has been hired at the Animal Welfare Center. Dr. Tyler graduated from Oklahoma State University in 1994 and has 22 years in general and emergency veterinary medicine. She has also worked with wildlife at Wild Care Oklahoma Foundation. This will be a great benefit to the animals at the shelter and will improve efficiency at the center because animals will be spayed and neutered at the shelter instead of being transported off-site. Rabies vaccinations will be provided and the general condition of the animals will be monitored on site as well.

#

"Voices for Norman" Community Dialog. This event was hosted by the Xenia Institute for Social Justice and the Norman Ministerial Alliance. This was the introductory meeting for the community wide discussion about police and community relations. Some smaller scale ward meetings will be held between now and the spring.

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Lindsey Street Update. The north side of the Lindsey Street/Berry Road intersection reopened today. Work is to begin at Wylie Road intersection on Thursday, October 13th. Information is available on the website Lindseystreetnorman.com.

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ADJOURNMENT

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

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 8:27 p.m.

ATTEST:

City Clerk

Mayor