

CITY COUNCIL  
COMMUNITY PLANNING AND TRANSPORTATION  
COMMITTEE MINUTES

May 2, 2019

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 3:05 p.m. in the Conference Room on the 2nd day of May, 2019, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Clark, Holman, Scott  
(arrived 4:00 p.m.), Wilson, and Chairman  
Hickman

ABSENT: None

OTHERS PRESENT: Mayor Lynne Miller  
Councilmember Robert Castleberry, Ward 3  
Ms. Alison Petrone, Councilmember-Elect,  
Ward 3  
Ms. Amber Armstrong, Plans Examiner II  
Ms. Susan Coldwater, Cleveland Area Rapid  
Transit (CART)  
Mr. Terry Floyd, Development Coordinator  
Ms. Jane Hudson, Interim Director of Planning  
and Community Development  
Ms. Lisa Krieg, Community Development Block  
Grant (CDBG) Grants Planner  
Mr. Jack McMahan, Americans with Disabilities  
Act (ADA) Technician  
Ms. Beth Muckala, Assistant City Attorney  
Mr. Shawn O'Leary, Director of Public Works  
Ms. Syndi Runyon, Administrative  
Technician IV

Item 1, being:

CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING  
SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF MARCH 2019.

Ms. Susan Coldwater, Cleveland Area Rapid Transit (CART), highlighted CART Ridership Reports for March 2019, and said fiscal year-to-date ridership (July to March) had a decrease of 23.40% over the same period last year. In March, CART transported 86,084 passengers that included 613 riders who traveled with bicycles and 290 riders who traveled with wheelchairs.

Item 1, continued:

CARTaccess transported 2,650 riders in March, an increase of 11% over the same month last year with an average daily ridership of 126 riders. Year-to-date primary zone ridership increased by 2% while secondary zone ridership decreased by 8%.

Ms. Coldwater said the fixed route service decrease is due to CART's change of the half-hour service to one-hour service on the Main Street and Alameda Street fixed route service and cancellation of Saturday service.

Ms. Coldwater highlighted March activities and said CART staff attended a Public Transportation Coordination meeting on March 6th. She said Route 52 is missing its stop at the Oklahoma Memorial Student Union due to construction of a new engineering building on Felgar Street and riders are encouraged to use Stop 181 located at Jenkins Avenue and Felgar Street.

Chairman Hickman said last year the Committee requested information on placing a temporary seasonal bus stop near the Westwood Aquatic Facility prior to this year's season opening and asked if that had been reviewed. He said currently, the closest bus stop is on the north side of Robinson Street and people have to cross Robinson Street, which can be dangerous. Ms. Coldwater apologized and said she is not familiar with that request, but will check with Mr. Kris Glenn, Director of CART, to review possibilities. Chairman Hickman said the pool opens Memorial Day weekend and there will be a Community Planning and Transportation Committee (CPTC) meeting on May 23rd before the pool opens and asked if information could be provided at that time. Councilmember Clark suggested changing the bus stop from north Robinson Street to south Robinson Street for the temporary pool season to help keep the bus on schedule.

Chairman Hickman asked if CART has an update on the transition of the bus service from CART to the City of Norman and Ms. Coldwater said she did not, but Mr. Shawn O'Leary, Director of Public Works, has been working on the transition and may have an update. Mr. O'Leary said Staff is making progress and had a great walk through of the facility last week with Embark who was actively gathering information and getting familiar with the operation. He said Staff is working with Embark on a contract with the Governor and the Federal Transit Authority for authorization to transfer federal funds designating the City as the grant recipient by July 1st.

Councilmember Clark said she has received several questions from CART employees about their fate and asked for an update on what Embark will be doing in regard to CART employees. Ms. Coldwater said she did not know how Embark was going to move forward; however, the University of Oklahoma (OU) will be keeping 19 positions that includes administration and operators. Chairman Hickman asked how many positions CART currently has and Ms. Coldwater said 51 positions. She said the Human Resource Department will be conducting OU's portion of positions based on evaluations and years of service. She does not know what will happen with the remaining positions. Mr. O'Leary said the new Vice-President of Operations at OU met with all CART employees regarding the transition. He said Embark operates with a very heavy unionized work force and CART does not so that will complicate things when Embark begins filling positions. He feels that both agencies are doing all they can for CART employees.

Item 1, continued:

Ms. Coldwater said CART will have six full time operator positions and the rest of the positions will be nine-month positions, but there are a lot of operators who cannot financially handle a nine-month position. She felt Embark would want operators familiar with the buses and routes in order to continue the status quo.

Mr. O'Leary said Embark will be able to absorb all transit needs into their current operation because they have an Americans with Disabilities (ADA) Coordinator; Accessory Advisory Committee; Marketing Staff; Human Resource Staff; Accounting Staff; Grant Administrators; etc. He said this will keep the City's costs down; however, Embark may not need to hire more than 15 to 20 people. Ultimately, Embark will be making personnel decisions, not the City of Norman.

Items submitted for the record

1. Cleveland Area Rapid Transit Monthly Report for March, 2019

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Item 2, being:

#### DISCUSSION REGARDING ACCESSIBLE HOUSING.

Chairman Hickman introduced members of the Citizen Ad Hoc Committee for Accessible Housing better known as Visitable Housing. Councilmember Clark said she was not aware this Committee existed and would have liked to have had a chance to be involved in the meetings. Chairman Hickman said there was never an intent to exclude anyone in this process, but some Councilmembers felt it would be beneficial to meet with experienced members of the community to prepare language for Council's review since Staff is very busy with numerous projects. He said the citizen's committee created language that Staff can refine.

Chairman Hickman distributed the proposed City of Norman Visitability Code the citizen's committee created for the CPTC Committee to review and discuss. He introduced Mr. Dave Boeck, Architect, and Mr. Keith McCabe, Developer, who will highlight the Visitability Code. He said the citizen's committee included a broad range of citizens from different areas including occupational therapists, members of the disability community, developers, and architects that researched accessible housing to bring forward accessibility standards.

Mr. Boeck said visitability is a growing trend across the United States (U.S.) where disability communities have developed different types of standards. He said for new construction there will be visitability standard components that include a zero entrance threshold, one accessible bathroom, one accessible bedroom, and accessible features within the kitchen. He said incentive language should be incorporated to encourage builders to increase availability of accessible housing within Norman. He said Norman will be the first City in the State of Oklahoma to adopt this type of Code and this Code follows the theme of being an inclusive City. He said five major

Item 2, continued:

barriers for people with disabilities or senior citizens living independently in the community include housing, transportation, employment, personal care, and health care.

Councilmember Bierman said making new construction housing visitable is significantly less costly than remodeling an existing home.

Councilmember Clark asked why this is called the Visitability Code instead of Accessibility and Visitability Code and Mr. Boeck said accessibility is a loaded term and people feel that accessibility is so overwhelming and restrictive that it sets up roadblocks. Chairman Hickman said the term accessibility leads people to believe federal standards are involved, which has a lot of limitations.

Mr. Boeck said the purpose of this proposed ordinance is to establish minimum regulations for the design, installation and construction of single-family homes or other dwellings with less than four units by providing reasonable criteria for visitability by persons with disabilities or seniors aging in place. He said visibility standards include height of electrical wall switches and wall receptacles; height and type of thermostats; height of at least one entry level window; step-free entrance; wall reinforcement for installation of accessible fixtures; first floor accessible restroom; restroom design with five foot turning radius; width of door and hallways; routes within a dwelling unit; low slope/hard surface exterior path; kitchen design; safe room/shelter; Use Tax rebates; and term and amount of tax rebate. He said requirements for the Norman Building Code will continue to apply.

Chairman Hickman said Tier 2 standards can achieve higher incentives because they will make a home even more visitable with more safety and mobility features.

Councilmember Castleberry asked if bathroom accessible fixtures on a first floor include a shower because the language states toilet and sink, but not shower. Chairman Hickman said it was the committee's intent to include a shower and he will change the language to clarify that first floor bathroom fixtures include an accessible shower.

Mr. Jack McMahan, ADA Technician, said clarity of language throughout the ordinance is important.

Mr. Boeck said many people with disabilities complain about kitchens not being accessible; however, that could potentially be expensive so kitchen standards move from visitability to user accessibility. He said kitchen design shall be consistent with the requirements provided for in the Fair Housing Act Manual.

Mayor Miller said, for clarification, if the ordinance is for visitability (visitors needing accessibility) then the kitchen standards (Tier 2) would not be necessary. Chairman Hickman said if someone is disabled then they will be using the kitchen and would want standards under Tier 2, which calls for lower appliances, more accessible cabinets, lower countertops, and room for wheelchairs to maneuver throughout. Mayor Miller said most of the standards are fairly simple

Item 2, continued:

and low cost; however, once you move into kitchen requirements, it becomes less simple and costlier.

Mr. McMahan said some of the ordinance language is very muddy and asked what the real intent of the ordinance is, is it for visitors that may need accessibility or users that may need accessibility? Is the City really getting what it wants with this language or is the City just trying to bring awareness to the issue of accessibility?

Councilmember Castleberry said Tier 2 standards are basically homes for livability, not visitability. Chairman Hickman said other communities with visibility standards do not have tiers and are very simple, but he wants Norman to offer more than just basic, simple accessibility standards. He said this language was created by members of the disability community to let developers know what type of housing is needed for independent living.

Councilmember Wilson said the intent of the meetings was to help Staff by creating language that Staff could clean up to make a workable Code as well as to acquire community buy-in.

Ms. Alison Petrone, Ward Three Councilmember-Elect, suggested the first floor bathroom walls be further reinforced to double as a storm shelter and Mr. McCabe said that would cost an additional \$4,800 versus \$2,500 for a safe room in the garage.

Chairman Hickman said this is a voluntary program and the incentive concept is to utilize Use Tax. He said when someone builds a home, Use Tax is paid for delivery of materials to the site and a portion of that Use Tax would be rebated back to the developer. He proposed 25% for the basic tier standards and 75% for Tier 2 standards. He said a \$400,000 project could generate approximately \$2,000 to \$6,000 in incentives.

Councilmember Castleberry asked who would oversee that developers are reporting the correct amount of Use Tax and Chairman Hickman said developers would have to provide receipts for materials used to the City. Mr. McCabe said every developer receives a monthly commodity update of all supply prices that could be provided to the City and Councilmember Castleberry said that will not tell the City how much of those materials were used on a home. Mr. McCabe said providing receipts would not be a problem for developers, especially if it means getting money back. Councilmember Castleberry asked if Use Tax would be enough of an incentive and Mr. McCabe said it is not enough, but it is a start. Chairman Hickman said this is something Staff would need to help determine.

Councilmember Wilson said her previous house was visitable because the people that built it planned to age in place then divorced and had to sell the house. When she purchased the house she did not realize it was a visitable home, but did know it had some unique features she found convenient. When she sold the house, a person with mobility issues bought it because it was accessible and visitable.

Item 2, continued:

Chairman Hickman said there will need to be checks and balances for incentives as well as inspections to ensure the home is being built to visitability standards.

Chairman Hickman asked if Staff had questions or comments and Ms. Jane Hudson, Director of Planning and Community Development, asked if the next step is to have Staff review the ordinance language and report suggestions back to the CPTC. Chairman Hickman said he would like Staff to review the ordinance, recommend changes, and then move it forward to full Council for review.

Mayor Miller said she would like to move forward, but incentives, inspection process, legalities of using Use Tax, etc., have not been determined. She would like the ADA Technician and Staff to have the chance to review the language since this is the first time they have seen it. She wants everyone to be realistic about the timing of this because Council is currently focusing on the Administrative Delay for the Center City Form Based Code (CCFBC) area so it is unfair to the Citizens Committee that worked on this ordinance to think this will happen quickly.

Councilmember Clark said the work that has been done on this Code is awesome, but felt Staff and other Councilmembers should have had an opportunity to sit in on these meetings. She said the ADA Technician would have been a helpful addition to the Citizen's Committee since that was why he was hired. She said once Staff has had a chance to review the language it should come back to CPTC.

Mr. Shawn O'Leary, Director of Public Works, said Staff is currently buried in projects and asked if this Code should come before the CART transition or CCFBC. What priority does this ordinance fall under? Chairman Hickman said it obviously cannot come before CART or CCFBC, but those projects should be completed by July. He asked members if this ordinance should come back to CPTC on May 23rd or June 27th and Mr. O'Leary said he would prefer sometime in October. Chairman Hickman wanted the ordinance to go to full Council in June instead of back to CPTC.

Mayor Miller said Council and Staff is also working on the annual budget for June as well as NORMAN FORWARD projects. She said Council and Staff is also working on ending the University North Park Tax Finance Increment (UNPTIF) District by June and while this ordinance is important, can it wait until these other issues have been completed?

Councilmember Wilson said the point of creating the ordinance was to build a foundation to make Staff's job easier, not to push it ahead of other projects. She said the point of the ordinance was not to go around Staff or other Councilmembers, it was just to have the conversation and bring CPTC as full a package as possible because Staff has a full docket of work. She is okay with it going into the queue.

Councilmember Castleberry suggested this issue be discussed during the Council Retreat in July or August where Council sets their priorities for the upcoming year. He said at that time there will be two new Councilmembers, a new City Manager, and a new Mayor. Councilmember Clark agreed and said it will remain on Council's radar if it is discussed at the Retreat.

Item 2, continued:

Mr. McCabe said placing this in the queue is the biggest step the City has taken towards addressing housing for citizens with disabilities so he is happy with that.

Chairman Hickman asked when Staff would be able to work on the ordinance and Mr. O'Leary said the ADA Technician is exceptionally busy working on the ADA Transition Plan that Council will be updating next Tuesday, May 7th. He said after that presentation, Mr. McMahan may have a mechanism for taking on issues of accessible housing, accessible transportation, accessible parks, emergency response for the disabled community, technology for the disabled communities, etc. He said these are all important priorities for the disabled community.

Councilmember Bierman said this ordinance will be a priority for her during the Retreat because there is a broader range of people who will benefit from an ordinance like this other than people with disabilities. She said there are people who want to age in their own homes or people who may experience a temporary disability at some point in their life. She welcomes Staff's input, but does want to move on this sooner rather than later.

Councilmember Castleberry said the proposed incentive will not be enough to even move the needle to make this a reality. Chairman Hickman asked Mr. Terry Floyd, Development Coordinator, to review and recommend incentive options.

Items submitted for the record

1. Proposed City of Norman Visitability Code

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Item 3, being:

MISCELLANEOUS COMMENTS.

None.

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The meeting adjourned at 4:58 p.m.

ATTEST:

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City Clerk

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Mayor