

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

June 11, 2012

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 June, 2013, 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 Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 19 excluding Item 15 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 19 excluding Item 15, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 19 excluding Item 15 were placed on the consent docket by unanimous vote.

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Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 14, 2013
CITY COUNCIL CONFERENCE MINUTES OF MAY 28, 2013
CITY COUNCIL MINUTES OF MAY 28, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 28, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 28, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 28, 2013

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

Items submitted for the record

1. Text File No. GID-1213-94 dated June 3, 2013, by Brenda Hall, City Clerk
2. City Council Special Session minutes of May 14, 2013
3. City Council Conference minutes of May 28, 2013
4. City Council minutes of May 28, 2013
5. Norman Utilities Authority Special Session minutes of May 28, 2013
6. Norman Municipal Authority Special Session minutes of May 28, 2013
7. Norman Tax Increment Finance Authority Special Session minutes of May 28, 2013

Item 4, continued:

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

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 5, being:

CONSIDERATION OF ORDINANCE NO. O-1213-47 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 REQUIRING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES TO COMPLY WITH THE OPEN MEETINGS ACT WHEN POSTING MEETING NOTICES AND AGENDAS AND POSTING SAID NOTICES AND AGENDAS ON THE CITY OF NORMAN WEBSITE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-47 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-47 dated June 4, 2013, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1213-47
3. Legislatively notated copy of Ordinance No. O-1213-47
4. Pertinent excerpts from City Council Oversight Committee minutes of April 10, 2013
5. Pertinent excerpts from City Council Study Session minutes of April 30, 2013

Participants in discussion

1. Mark Campbell, Post Office Box 1531, made comments

and the question being upon the Introduction and adoption of Ordinance No. O-1213-47 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-47 was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1213-48 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 21, SECTION 21-404 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-48 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Item 6, continued:

Items submitted for the record

1. Text File No. O-1213-48
2. Ordinance No. O-1213-48
3. Legislatively notated copy of Ordinance No. O-1213-48
4. City Council Oversight Committee minutes of March 6, 2013
5. Pertinent excerpts from City Council Study Session minutes of April 30, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1213-48 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1213-48 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

- TERM: 06-11-13 TO 02-13-15: KIM FLOYD, 229 22ND AVENUE N.E.
TERM: 06-11-13 TO 02-13-14: JOHN WICKHAM, 536 WOODSONG DRIVE
TERM: 07-02-13 TO 02-13-15: JONATHAN MULLEN, 1506 MELROSE DRIVE

BOARD OF ADJUSTMENT

- TERM: 06-11-13 TO 12-22-15: CINDY DECKARD, 1531 MELROSE DRIVE
TERM: 06-11-13 TO 12-22-15: THOMAS BALLENGER, 3649 24TH AVE. SE., #11

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2

- TERM: 06-11-13 TO 04-10-15: CLINT WILLIAMS, 2650 BRENTWOOD DRIVE
TERM: 04-10-13 TO 04-10-16: HEATH HANS, 3820 CRAIL DRIVE
TERM: 04-10-13 TO 04-10-16: HAROLD HARALSON, 516 AVON DRIVE
TERM: 04-10-13 TO 04-10-16: TED SMITH, 613 RIVERWALK COURT

FLOODPLAIN PERMIT COMMITTEE

- TERM: 06-12-12 TO 06-12-15: SHERRI STANSEL, 608 SHADOW CREST COURT

Councilmember Kovach moved that the appointments be confirmed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. AP-1213-24 dated May 13, 2013, by Brenda Hall, City Clerk

and the question being upon confirming the appointments, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the appointments were confirmed.

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Item 8, being:

SUBMISSION OF THE PIONEER LIBRARY SYSTEM FYE 2014 ANNUAL BUDGET.

Councilmember Kovach moved that receipt of the document be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. RPT-1213-90 dated May 30, 2013, by Brenda Hall, City Clerk
2. Pioneer Library System Budget, July 1, 2013 – June 30, 2014

and the question being upon acknowledging receipt of the document and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES:

None

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

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Item 9, being:

CONSIDERATION OF BID NO. 1213-44, CONTRACT NO. K-1213-88 WITH URBAN CONTRACTORS, L.L.C., IN THE AMOUNT OF \$2,774,200; PERFORMANCE BOND NO. B-1213-34; STATUTORY BOND NO. B-1213-35, AND MAINTENANCE BOND NO. MB-1213-27 FOR THE SEWER MAINTENANCE PROJECT FYE 2011 AND BUDGET TRANSFERS.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$2,774,200 be awarded to Urban Contractors, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1213-88 and the performance, statutory, and maintenance bonds be approved; the execution of the contract, bonds, and the Norman Utilities Authority as part of the contract to pay vendors supplying equipment and materials for the Sewer Maintenance Project FYE 2011 be authorized; the filing of the bonds be directed; and \$840,803 be transferred from Project No. WW0055, SMP10, Construction (321-9338-432.61-01) and \$403,314 from Project No. WW0200, SMP13, Construction (321-9338-432.61-01) to Project No. WW0064, SMP11, Construction (321-9338-432.61-01), which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1213-88 dated May 27, 2013, from Charlie Thomas, Capital Projects Engineer
2. Bid tabulation dated May 23, 2013, for the Sewer Maintenance Project FYE 2011
3. Contract No. K-1213-88
4. Performance Bond No. B-1213-34
5. Statutory Bond No. B-1213-35
6. Maintenance Bond No. MB-1213-27
7. Location map
8. Purchase Requisition No. 0000217859 dated May 30, 2013, in the amount of \$2,774,200 to Urban Contractors, L.L.C.

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

YEAS:

Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES:

None

Item 9, being:

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$2,774,200 was awarded to Urban Contractors, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1213-88 and the performance, statutory, and maintenance bonds were approved; the execution of the contract, bonds, and the Norman Utilities Authority as part of the contract to pay vendors supplying equipment and materials for the Sewer Maintenance Project FYE 2011 was authorized; the filing of the bonds were directed; and \$840,803 was transferred from Project No. WW0055, SMP10, Construction (321-9338-432.61-01), and Project No. WW0200, SMP13, Construction (321-9338-432.61-01), to Project No. WW0064, SMP11, Construction (321-9338-432.61-01).

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Item 10, being:

CONSIDERATION AND AWARDED OF BID NO. 1213-53 WITH SPECIAL OPS, INC., IN THE AMOUNT OF \$79,182 FOR THE PURCHASE OF DRESS UNIFORMS FOR THE NORMAN FIRE DEPARTMENT.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$79,182 be awarded to Special Ops, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. BID-1213-53 dated June 4, 2013, by James Fullingim, Fire Chief
2. Bid tabulation dated November 29, 2013, for dress uniforms for the Fire Department

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. James Fullingim, Fire Chief

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

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$79,182 was awarded to Special Ops, Inc., as the lowest and best bidder meeting specifications as the lowest and best bidder meeting specifications.

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Item 11, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-82 FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT; APPROVAL OF CONTRACT NO. K-1213-201 WITH Z-FLOOR COMPANY, LTD., IN THE AMOUNT OF \$141,114; PERFORMANCE BOND NO. B-1213-99; STATUTORY BOND NO. B-1213-101; MAINTENANCE BOND NO. MB-1213-90; AND RESOLUTION NO. R-1213-145.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-82 from Z-Floor Company, Inc., for the Whittier and Irving Recreation Centers Gym Floor Replacement Project be accepted; Contract No. K-1213-201 and the performance, statutory, and maintenance bonds be approved; the execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution No. R-1213-145 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 11, continued:

Items submitted for the record

1. Text File No. K-1213-201 dated May 28, 2013, from Jeff Hill, Recreation Superintendent
2. Tabulation of RFP's dated May 22, 2013, for the Whittier and Irving Recreation Centers Gym Floor Replacement Project
3. Contract No. K-1213-201
4. Statutory Bond No. B-1213-100
5. Performance Bond No. B-1213-99
6. Maintenance Bond No. MB-1213-90
7. Resolution No. R-1213-145
8. Purchase Requisition No. 0000217687 dated May 29, 2013, in the amount of \$141,114 to Z-Floor Company, Inc.

and the question being upon accepting Request for Proposal No. RFP-1213-82 and upon the subsequent awarding of the bid, approval, authorization, directive, and adoption, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Request for Proposal No. RFP-1213-82 from Z-Floor Company, Inc., accepted; Contract No. K-1213-201 and the performance, statutory, and maintenance bonds were approved; the execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-145 was adopted.

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Item 12 being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-85 FOR THE ROTARY PARK PAVILION PROJECT, APPROVAL OF CONTRACT NO. K-1213-202 WITH FREDGREN QUALITY WORKS, L.C., IN THE AMOUNT OF \$103,944; PERFORMANCE BOND NO. B-1213-101; STATUTORY BOND NO. B-1213-102; MAINTENANCE BOND NO. MB-1213-91; RESOLUTION NO. R-1213-146; AND BUDGET TRANSFER.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-85 from Fredgren Quality Works, L.C., for the Rotary Park Pavilion Project be accepted; Contract No. K-1213-202 and the performance, statutory, and maintenance bonds be approved; the execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution No. R-1213-145 be adopted; and \$80,695.31 be transferred from Project No. BG0036, Tornado Damage Repairs, Construction (050-9387-419.61-01) to Project No. PR0095, Rotary Park Improvements, Construction (050-9618-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-202 dated May 28, 2013, from James Briggs, Park Planner
2. Tabulation of RFP's dated May 27, 2013, for the Rotary Park Pavilion Project
3. Contract No. K-1213-202
4. Performance Bond No. B-1213-101
5. Statutory Bond No. B-1213-102
6. Maintenance Bond No. MB-1213-91
7. Resolution No. R-1213-146
8. Purchase Requisition No. 0000217689 dated May 28, 2013, in the amount of \$103,944 to Fredgren Quality Works, L.C.

and the question being upon accepting Request for Proposal No. RFP-1213-85 and upon the subsequent awarding of the bid, approval, authorization, directive, adoption, and transfer, a vote was taken with the following result:

Item 12, continued:

YEAS:

Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Request for Proposal No. RFP-1213-82 from Z-Floor Company, Inc., accepted; Contract No. K-1213-201 and the performance, statutory, and maintenance bonds were approved; the execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-145 was adopted.

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Item 13, being:

CONSIDERATION OF A FINAL PLAT FOR BROOKHAVEN NO. 43 ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREOF. (GENERALLY LOCATED ONE-FOURTH MILE SOUTH OF WEST ROCK CREEK ROAD EAST OF BROOKHAVEN BOULEVARD)

Councilmember Kovach moved that the final plat for Brookhaven No. 43 Addition be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1213-31 dated March 14, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Final plat
4. Staff Report dated April 11, 2013, recommending approval
5. Revised preliminary plat
6. Pertinent excerpts from Planning Commission minutes of April 11, 2013

and the question being upon approving the final plat for Brookhaven No. 43 Addition and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the final plat for Brookhaven No. 43 Addition approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the and final plat was directed.

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Item 14, being:

CONSIDERATION OF ACCEPTANCE OF AN OKLAHOMA TOBACCO SETTLEMENT ENDOWMENT TRUST GRANT IN THE AMOUNT OF \$35,000 TO BE USED BY THE PARKS AND RECREATION DEPARTMENT TO INSTALL A FITNESS WALKING TRAIL AT SAXON PARK LOCATED ON HIGHWAY 9 JUST WEST OF 36TH AVENUE S.E., APPROVAL OF CONTRACT NO. K-1213-204, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that an Oklahoma Tobacco Settlement Endowment Trust Grant in the amount of \$35,000 to be used by the Parks and Recreation Department in Saxon Park be accepted; Contract No. K-1213-204 be approved; and Other Revenue/Park Grants (022-0000-334.13-75) be increased by \$35,000 and \$35,000 be appropriated to Project No. PR0023, Saxon Park Fitness Trail, Construction (022-9674-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-204 dated May 29, 2013, from Jud Foster, Director of Parks and Recreation
2. Letter dated May 9, 2013, from Jonas Mata, MSW, Director of Grants and Programs
3. Contract No. K-1213-204 with Attachment A, Application Narrative; Attachment B, TSET Better Lives Through Better Health, to Ms. Cindy Rosenthal, Mayor of Norman Contract Non-Collusion Certification; Attachment C, Workers Compensation Clause; Attachment D, Vendor/Payee Form; and Attachment E, Direct Deposit/Change Request Form New Bank Account

Participants in discussion

1. Mr. Bobby Stevens, Post Office Box 6226, asked questions
2. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting an Oklahoma Tobacco Settlement Endowment Trust Grant in the amount of \$35,000 to be used by the Parks and Recreation Department in Saxon Park and upon the subsequent approval, increase, and appropriation, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and an Oklahoma Tobacco Settlement Endowment Trust Grant in the amount of \$35,000 to be used by the Parks and Recreation Department in Saxon Park accepted; Contract No. K-1213-204 was approved, Other Revenue/Park Grants (022-0000-334.13-75) was increased by \$35,000, and \$35,000 was appropriated to Project No. PR0023, Saxon Park Fitness Trail, Construction (022-9674-452.61-01).

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Item 15, being:

CONSIDERATION OF AWARDING ALTERNATE 11 OF BID NO. 1213-39 INCREASING THE CONTRACT AMOUNT BY \$865,000 AND APPROVAL OF CHANGE ORDER ONE TO CONTRACT NO. K-1213-67 BY AND BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY AND CGC, L.L.C., DECREASING THE CONTRACT AMOUNT BY \$343,600 IN ORDER TO ADD FOUNTAIN MODIFICATIONS TO THE LEGACY PARK CONSTRUCTION PROJECT, AND BUDGET APPROPRIATION.

Acting as the Norman Tax Increment Finance Authority, Trustee Kovach moved that adding Alternate No. 11 to Bid No. 1213-39 increasing the bid amount by \$865,000 and Change Order No. One to Contract No. K-1213-67 with CGC, Inc., decreasing the contract amount by \$343,600 for a revised contract price of \$6,419,300 be approved; the execution of the Change Order be authorized; and \$521,400 be appropriated from the University North Park Tax Increment Finance Fund Balance (057-0000-253.20-00), to Project No. UT0098, Legacy Park Project, Construction (057-9518-431.61-01), which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1213-67 dated June 3, 2013, from Jud Foster, Director of Parks and Recreation
2. Alternate No. 11 to Bid No. 1213-39 – Memorandum dated April 23, 2013, from Jud Foster, Director of Parks and Recreation, to Steve Lewis, City Manager
3. Change Order No. One to Contract No. K-1213-67
4. Pertinent excerpts from City Council Study Session minutes of April 16, 2013

Item 15, continued:

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation
2. Ms. Joy Hampton, The Norman Transcript, asked questions
3. Mr. Mark Campbell, Post Office Box 1531, asked questions
4. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon approving adding Alternate No. 11 to Bid No. 1213-39 increasing the bid amount by \$865,000 and Change Order No. One to Contract No. K-1213-67 with CGC, Inc., decreasing the contract amount by \$343,600 for a revised contract price of \$6,419,300 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Trustees Castleberry, Griffith, Kovach,
Lockett, Spaulding, Williams

NAYES: Trustees Gallagher, Jungman, Chairman
Rosenthal

The Chairman declared the motion carried and adding Alternate No. 11 to Bid No. 1213-39 increasing the bid amount by \$865,000 and Change Order No. One to Contract No. K-1213-67 with CGC, Inc., decreasing the contract amount by \$343,600 for a revised contract price of \$6,419,300 approved; the execution of the Change Order was authorized and \$521,400 was appropriated from the University North Park Tax Increment Finance Fund Balance (057-0000-253.20-00), to Project No. UT0098, Legacy Park Project, Construction (057-9518-431.61-01).

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Item 16, being:

CHANGE ORDER ONE TO CONTRACT NO. K-1213-89: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TERRELL ELECTRIC, INC., INCREASING THE CONTRACT AMOUNT BY \$215.40 FOR THE NORMAN PUBLIC LIBRARY LIGHTING REPLACEMENT PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved Change Order No. One to Contract No. K-1213-86 with Terrell Electric, Inc., increasing the contract amount by \$215.40 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$36,365.90 be directed to Terrell Electric, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-89, Change Order No. One, dated June 3, 2013, by Matthew Smith, Facility Maintenance Superintendent
2. Change Order No. One to Contract No. K-1213-89
3. Invoice No. 14987 dated May 23, 2013, in the amount of \$36,355.90 to Terrell Electric, Inc.

and the question being upon approving Change Order No. One to Contract No. K-1213-86 with Terrell Electric, Inc., increasing the contract amount by \$215.40 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-1213-86 with Terrell Electric, Inc., increasing the contract amount by \$215.40 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$36,355.90 was directed to Terrell Electric, Inc.

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Item 17, being:

CONTRACT NO. K-1213-197: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND ACS PLAYGROUND ADVENTURES, INC., IN THE AMOUNT OF \$34,533, PERFORMANCE BOND NO. B-1213-94, STATUTORY BOND NO. B-1213-95, MAINTENANCE BOND NO. MB-1213-88, AND RESOLUTION NO. R-1213-138 FOR THE WOODSLAWN PARK PLAYGROUND EQUIPMENT PROJECT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1213-197 with Z-Floor Company, Inc., in the amount of \$34,533 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution No. R-1213-138 be adopted; and \$34,533 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. PR0143, Woodslawn Park Improvements, Construction (050-9673-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-197 dated May 29, 2013, by Mitch Miles, Park Planner
2. Summary of Price Quotation for Woodslawn Park Playground Equipment Project
3. Contract No. K-1213-197
4. Performance Bond No. B-1213-94
5. Statutory Bond No. B-1213-95
6. Maintenance Bond No. MB-1213-88
7. Resolution No. R-1213-138
8. Purchase Requisition No. 0000217787 dated May 29, 2013, in the amount of \$34,533 to Z-Floor Company, Inc.

Participants in discussion

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

and the question being upon approving Contract No. K-1213-197 with Z-Floor Company, Inc., in the amount of \$34,533 and the performance, statutory, maintenance bonds and upon the subsequent authorization, directive, and appropriation, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Contract No. K-1213-197 with Z-Floor Company, Inc., in the amount of \$34,533 and the performance, statutory, maintenance bonds was approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; Resolution No. R-1213-138 was adopted; and \$34,533 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. PR0143, Woodslawn Park Improvements, Construction (050-9673-452.61-01).

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Item 18, being:

RESOLUTION NO. R-1213-149: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$6,000 FROM THE CAPITAL FUND BALANCE FOR IRRIGATION SYSTEM REPLACEMENT IN THE LANDSCAPED MEDIAN ON WEST MAIN STREET BETWEEN MERKLE DRIVE AND COLLIER DRIVE.

Councilmember Kovach moved that Resolution No. R-1213-149 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-149 dated May 28, 2013, by Angelo Lombardo, Transportation Traffic Engineer
2. Resolution No. R-1213-149
3. Location map

and the question being upon adopting Resolution No. R-1213-149, a vote was taken with the following result:

Item 18, continued:

YEAS: Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1213-149 was adopted.

* * * * *

Item 19, being:

RESOLUTION NO. R-1213-150: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY APPROPRIATING \$80,000 FROM THE WATER FUND BALANCE TO REPLACE THE MAIN WATER LINE UNDER ASP AVENUE BETWEEN WHITE STREET AND BOYD STREET TO AVOID FUTURE LINE FAILURE AND DISRUPTION TO TRAFFIC AND BUSINESSES.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Resolution No. R-1213-150 be adopted, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. R-1213-150 dated June 3, 2013, by Ken Komiske, Director of Utilities
2. Resolution No. R-1213-150

and the question being upon adopting Resolution No. R-1213-150, a vote was taken with the following result:

YEAS: Trustees Castleberry, Gallagher, Griffith,
Jungman, Kovach, Lockett, Spaulding,
Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Resolution No. R-1213-150 was adopted.

* * * * *

Item 20, being:

CONSIDERATION OF ADOPTION OF THE FYE 2013 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

Councilmember Kovach moved that the FYE 2013 City of Norman Operating and Capital Budgets, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. RPT-1213-62 dated May 28, 2013
2. City of Norman, Oklahoma, Fiscal Year Ending 2014 Annual Budget Summary of Fund Balances
3. City of Norman, Oklahoma, Fiscal Year Ending June 30, 2014, Budget and Financial Plan – Fiscal Year-End 2014-2018
4. City of Norman, Oklahoma, Capital Improvements Project Budget - Fiscal Year Ending June 30, 2014, and Financial Plan – Fiscal Year-End 2014-2018

Thereupon, Councilmember Griffith moved that the FYE 2013 City of Norman Budget be amended to increase General Fund allocations for employer contributions to the Oklahoma Firefighters Pension System by \$107,500 and Public Safety Sales Tax allocations by \$10,875, which motion was duly seconded by Councilmember Kovach; and the question being upon amending the FYE 2013 City of Norman Budget as stated above, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher,
Griffith, Jungman, Kovach, Lockett,
Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget was amended as stated above.

Item 20, continued:

Thereupon, Councilmember Jungman moved that the FYE 2013 City of Norman Budget, as amended, be further amended to increase the University North Park Tax Increment Finance Fund expenditure allocations by \$127,275 for an inter-fund transfer to the General Fund to offset administrative costs and increase General Fund inter-fund transfer revenues by \$127,275, which motion was duly seconded by Councilmember Kovach; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Kovach moved that the FYE 2013 City of Norman Budget, as amended, be further amended to increase Public Safety Sales Tax Fund expenditure allocations by \$1,031,330 for an inter-fund fund transfer to the New Revenue Stabilization Fund and increase the New Revenue Stabilization Fund inter-fund transfer revenues by \$1,031,330, which motion was duly seconded by Councilmember Griffith; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Kovach moved that the FYE 2013 City of Norman Budget, as amended, be further amended to increase Public Safety Sales Tax Fund expenditure allocations by \$339,291 for a one time inter-fund transfer to the General Fund to offset costs of the emergency communications function, which motion was duly seconded by Councilmember Griffith; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Lockett moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce the \$3,708,020 budgeted by \$1,156,150 for Public Safety Sales Tax Fund Capital Expenditure allocations from the FY 14 Budget and programmed in FY 15 to pay for programmed fire equipment replacements over a two year period; which motion was duly seconded by Councilmember Griffith; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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Item 20, continued:

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Griffith moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce Community Development Block Grant expenditures and revenues by a total of \$37,517, with \$30,838 for the HOME Program and \$6,679 for the CDBG Program, which motion was duly seconded by Councilmember Kovach; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Mayor Rosenthal moved that grammatical and typographical corrections to the Budget documents, with no financial impact, be made as necessary, which motion was duly seconded by Councilmember Kovach; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Castleberry moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations in the General Fund Services and Maintenance and Supply and Materials categories of expenditures by \$478,829, which motion was duly seconded by Councilmember Kovach;

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Mr. Mark Campbell, Post Office Box 1352, made comments
3. Ms. Jeanette Coker, 620 East Main, made comments
4. Ms. Ann Gallagher, 1522 East Boyd, made comments
5. Ms. Cindy Rogers, 633 Reed Avenue, made comments
6. Mr. Stephen Ellis, 633 Reed Avenue, made comments
7. Mr. Bobby Stevens, Post Office Box 6226, made comments
8. Ms. Joy Hampton, The Norman Transcript, asked questions
9. Ms. Katie Fitzgerald, Center for Children and Families, made comments
10. Ms. Mary Francis, 850-C Cardinal Creek Condos, made comments
11. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	Councilmember Jungman
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The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Item 20, continued:

Thereupon, Councilmember Castleberry moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations from the General Fund Services and Maintenance and Supply and Materials categories of expenditures by an additional \$27,040 related to training and travel allocations, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion

1. Ms. Suzanne Krohmer, Budget Manager
2. Mr. Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau, 2424 Springer Drive, made comments
3. Mr. Stephen Ellis, 633 Reed Avenue, asked questions
4. Ms. Susan Connors, Director of Planning and Community Development
5. Mr. Mark Campbell, Post Office Box 1053, made comments
6. Ms. Joy Hampton, The Norman Transcript, asked questions
7. Mr. Steve Lewis, City Manager
8. Mr. Anthony Francisco, Director of Finance

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Lockett, Spaulding, Williams
NAYES:	Councilmembers Griffith, Jungman, Kovach, Mayor Rosenthal

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Castleberry moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations from the General Fund Services and Maintenance and Supply and Materials categories of expenditures by an additional \$27,760 related to consultant allocations, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	Councilmember Jungman

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Jungman moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations in the General Fund by \$85,000 and delay the hiring of a retail coordinator for one year, which motion was duly seconded by Councilmember Gallagher;

1. Ms. Jeanette Coker, 620 East Main, made comments
2. Mr. Bobby Stevens, Post Office Box 6226, proponent
3. Mr. Mark Campbell, Post Office Box 1531, made comments
4. Mr. Stephen Ellis, 633 Reed Avenue, proponent
5. Ms. Cindy Rogers, 633 Reed Avenue, made comments
6. Mr. John Woods, 4101 Castlerock Road, protestant
7. Ms. Ann Gallagher, 1522 East Boyd, proponent
8. Ms. Mary Francis, 850-C Cardinal Creek Condos, proponent
9. Mr. Steve Lewis, City Manager

Item 20, continued:

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS: Councilmembers Gallagher and Jungman

NAYES: Councilmembers Castleberry, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

and the question being upon adopting the FYE 2013 City of Norman Operating and Capital Budgets, as amended, a vote was taken with the following result:

YEAS: Councilmembers Griffith Jungman, Kovach, Lockett, Mayor Rosenthal

NAYES: Councilmembers Castleberry, Gallagher, Williams, Spaulding

The Mayor declared the motion carried and the FYE 2013 City of Norman Operating and Capital Budgets, as amended, were adopted.

* * * * *

Thereupon Councilmember Kovach moved that the Norman Convention Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work be postponed until June 25, 2013, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. RPT-1213-62 dated May 28, 2013
2. Norman Convention and Visitors Bureau FY 2014 Budget and Destination Marketing Plan with Appendix A, Big XII Conference and Other Compatible Communities and City of Norman Benchmark Communities, Appendix B, Greater Oklahoma City Area Tourism Ambassadors, and Appendix C, Spring, 2013 Call-to-Action Campaign

Participants in discussion

1. Ms. Mary Francis, 805-C Cardinal Creek Condos, made comments

and the question being upon postponing the Norman Convention Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work until June 25, 2013, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, was postponed until June 25, 2013.

* * * * *

Item 21, being:

RESOLUTION NO. R-1112-129: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-6, SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

Resolution No. R-1112-129 having been postponed in City Council's meeting of November 13, 2012, until January 8, 2013, having been further postponed in City Council's meeting of November 13, 2012, January 8, 2013, February 12, 2013, April 9, 2013, and May 14, 2013, Councilmember Kovach moved that Resolution No. R-1112-129 be postponed until June 25, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-129 dated April 17, 2013, by Jane Hudson, Principal Planner
2. Letter requesting postponement dated June 4, 2013, from Sean Paul Rieger, Attorney at Law, to Norman City Council
3. Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6
4. Location map
5. Notification of Developer of Record dated May 7, 2013, from Mark Risser, B3 Development Group
6. Staff Report dated September 13, 2012, recommending approval
7. Predevelopment Summary Case No. PD 12-27 dated July 26, 2012, for property generally located at 612 and 710 Asp and 421-427 Buchanan Avenue
8. Predevelopment Summary Case No. PD 12-17 dated April 26, 2012, for property generally located on the west side of Asp Avenue just south of the Duffy Street and Asp Avenue intersection
9. Predevelopment Summary Case No. PD 12-09 dated March 22, 2012, for 710 Asp Avenue
10. Pertinent excerpts from Planning Commission minutes of July 12, 2012, August 9, 2012, and September 13, 2012
11. Letter dated May 15, 2013, from Don Wood, Executive Director, Norman Economic Development Coalition, to Whom It May Concern

Participants in discussion

1. Ms. Mary Francis, 850-C Cardinal Creek Condos, protestant
2. Mr. Ed Kessler, 1510 Rosemont Drive, protestant

and the question being upon postponing Resolution No. R-1112-129 until June 25, 2013, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Resolution No. R-1112-129 was postponed until June 25, 2013.

* * * * *

Item 22, being:

CONSIDERATION OF ORDINANCE NO. O-1112-38 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 PLACE PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, AND REMOVE THE SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

Ordinance No. O-1112-38 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 23, 2012; and Ordinance No. O-1112-38 having been postponed in City Council's meeting of November 13, 2012, January 8, 2013, February 12, 2013; April 9, 2013, and May 14, 2013, Councilmember Kovach moved that Ordinance No. O-1112-38 be postponed until June 25, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-38 dated April 17, 2012, by Jane Hudson, Principal Planner
2. Ordinance No. O-1112-38
3. Location map
4. Letter requesting postponement dated June 4, 2013, from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
5. Notification of Developer of Record dated May 7, 2013, from Mark Risser, B3 Development Group
6. Schematic Design of Campus Corner Project developed by NE Development Group
7. Traffic Impact Study, March, 2013, 710 Asp Avenue prepared for B3 Development Group by B.J. Hawkins, P.E., Traffic Engineering Consultants, Inc.
8. Higher-Density Development, Myth and Fact, prepared by National Multi-Housing Council, Sierra Club, American Institute of Architects, and Urban Land Institute
9. Staff Report dated September 13, 2012, with no recommendation

Participants in discussion

1. Mr. Stephen Ellis, 633 Reed Avenue, made comments
2. Mr. Jeff Bryant, City Attorney

and the question being upon postponing Ordinance No. O-1112-38 until June 25, 2013, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-1112-38 was postponed until June 25, 2013.

* * * * *

Item 23, being:

CONSIDERATION OF ORDINANCE NO. O-1213-44 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 PLACE LOT 1, BLOCK 1, PEPKO INDUSTRIAL PARK, PHASE 1, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE I-2, HEAVY INDUSTRIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2601 VENTURE BOULEVARD)

Ordinance No. O-1213-44 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 28, 2013, Councilmember Griffith moved that Ordinance No. O-1213-44 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1213-44 dated April 10, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-44
3. Location map
4. Staff report dated May 9, 2013, recommending approval
5. Section 427.1 – 1-2, Heavy Industrial District, of the City of Norman Zoning Ordinances
6. Application for rezoning of 2601 Venture Drive with photos of property
7. Pertinent excerpts from Planning Commission minutes of May 9, 2013

Participants in discussion

1. Mr. Aaron Parks, applicant
2. Ms. Ann Gallagher, 1522 East Boyd

and the question being upon adopting Ordinance No. O-1213-44 upon Second Reading section by section, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-1213-44 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-44 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-44 upon Final Reading as a whole, the roll was called with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-1213-44 was adopted upon Final Reading as a whole.

* * * * *

Item 24, being:

CONSIDERATION OF ORDINANCE NO. O-1213-45 UPON SECOND AND FINAL READING:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A UTILITY EASEMENT LOCATED IN CARRINGTON PLACE ADDITION, SECTION 11, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (BETWEEN LOTS 1 AND 2, BLOCK 5, CARRINGTON PLACE ADDITION, SECTION 11)

Ordinance No. O-1213-45 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 28, 2013, Councilmember Kovach moved that Ordinance No. O-1213-45 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-45 dated April 10, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-45
3. Location map
4. Staff report dated May 9, 2013, recommending approval
5. Memorandum dated April 8, 2013, from Brenda Hall, 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. Letter dated April 8, 2013, from H.L. Heiple, Attorney-Agent, Heiple Law Offices, Inc., representing the applicant Carrington Place, L.L.C., with legal description of utility easement to be vacated and location map, legal description of new utility easement and location map, and Certificate of Bonded Abstractor
7. Easement No. E-1213-21
8. Pertinent excerpts from Planning Commission minutes of May 9, 2013, recommending approval

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula, attorney representing applicant

and the question being upon adopting Ordinance No. O-1213-45 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-45 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-45 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-45 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-45 was adopted upon Final Reading as a whole.

* * * * *

Item 25, being:

RESOLUTION NO. R-1213-95: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1213-7, SO AS TO PLACE LOTS 37 AND 38, BLOCK 3, LARSH'S UNIVERSITY ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION. (768 SOUTH JENKINS AVENUE)

Councilmember Griffith moved that Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Lockett;

Items submitted for the record

1. Text File No. R-1213-95 dated January 22, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7
3. Location map
4. Staff Report dated February 14, 2013, recommending denial
5. Predevelopment Summary Case No. PD 12-36 dated December 20, 2012, for Mohammed Tajbakhsh for property located at 768 South Jenkins
6. Pertinent excerpts from Planning Commission minutes of February 14, 2013

Participants in discussion

1. Mr. Nemo Tajbakhsh, 768 South Jenkins, representing applicant
2. Ms. Susan Connors, Director of Planning and Community Development
3. Mr. Alan Stacy, representing Keith Walker Oil and Gas Company in the Casablanca Building located at 103 West Boyd, protestant

and the question being upon adopting Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:

None

NAYES:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

The Mayor declared the motion failed and Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7, adopted; and the NORMAN 2025 Land Use and Transportation Plan was not amended.

* * * * *

Item 26, being:

CONSIDERATION OF ORDINANCE NO. O-1213-30 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 PLACE LOTS 37 AND 38, BLOCK 3, LARSH'S UNIVERSITY ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT WITH SPECIAL USE FOR A BAR, LOUNGE OR TAVERN, AND REMOVE THE SAME FROM THE RO, RESIDENCE-OFFICE DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (768 SOUTH JENKINS AVENUE)

Consideration of Item 26 required approval of Item 25, Resolution R-1213-95, Land Use Plan Amendment No. LUP-1213-7, as a result Item 26 was moot.

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Item 27, being:

RESOLUTION NO. R-1213-113: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1213-9, SO AS TO PLACE PART OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION. (SOUTH SIDE OF IMHOFF ROAD APPROXIMATELY 900 FEET EAST OF CLASSEN BOULEVARD)

Councilmember Griffith moved that Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9, having been postponed on May 14, 2013, and May 28, 2013, be rejected, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1213-113 dated March 13, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9
3. Location map
4. Staff Report dated April 11, 2013, not supporting the request
5. Predevelopment Summary Case No. PD-13-04 dated February 28, 2013, for Breckenridge Land Acquisition d/b/a Aspen Heights located on the south side of Imhoff Road approximately 420 feet east of Classen Boulevard
6. Pertinent excerpts from Planning Commission minutes of April 11, 2013
7. Letter requesting postponement dated May 28, 2013, from Sean Paul Rieger, attorney representing the applicant
8. Letter of support dated May 28, 2013, from Donna Randall, daughter of Imogene (Tullius) Randall
9. Hitachi presentation entitled, "Hitachi is a Good Neighbor"

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing applicant
2. Mr. Tom McCaleb, SMC Consulting Engineers, 805 West Main, Oklahoma City, representing applicant
3. Mr. Charlie Vatterott, Executive Vice-President for Aspen Heights, applicant
4. Mr. B.J. Hawkins, Traffic Engineering Consultants, representing applicant
5. Mr. Jeff Bryant, City Attorney
6. Ms. Helen Tullius Todd, 1600 East Imhoff Road, proponent
7. Ms. Mary Francis, 850-C Cardinal Creek Condos, asked questions
8. Mr. George Wilson, 515 Shawnee Street, representing Hitachi, protestant
9. Mr. Don Wood, Executive Director, Norman Economic Development Coalition, protestant
10. Ms. Jane Cox, 300 Greens Parkway, proponent

and the question being upon rejecting Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9, until June 11, 2013, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Griffith, Jungman, Kovach, Lockett, Mayor Rosenthal

NAYES:

Councilmembers Gallagher, Spaulding, Williams

The Mayor declared the motion carried and Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9, was rejected.

* * * * *

Item 28, being:

CONSIDERATION OF ORDINANCE NO. O-1213-41 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 PLACE PART OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA; IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH SIDE OF IMHOFF ROAD APPROXIMATELY 900 FEET EAST OF CLASSEN BOULEVARD)

Consideration of Item 28 required approval of Item 27, Resolution R-1213-113, Land Use Plan Amendment No. LUP-1213-9, as a result Item 28 was moot.

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Item 29, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ASPEN HEIGHTS ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE SOUTH SIDE OF IMHOFF ROAD APPROXIMATELY ONE-FOURTH MILE EAST OF CLASSEN BOULEVARD/HIGHWAY 77.

Consideration of Item 29 required approval of Item 27, Resolution R-1213-113, Land Use Plan Amendment No. LUP-1213-9, and Item 28, Ordinance No. O-1213-41, as a result Item 29 was moot.

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Item 30, being:

RESOLUTION NO. R-1213-108: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A RECOUPMENT PROJECT FOR COSTS ASSOCIATED WITH IMPROVEMENTS ON CEDAR LANE ROAD, AN ARTERIAL ROAD, FROM 400 FEET WEST OF 12TH AVENUE S.E. TO 1/2 MILE EAST OF 24TH AVENUE S.E.

Councilmember Kovach having moved in City Council's meeting of May 28, 2013 that Resolution No. R-1213-108 be adopted, which motion having been duly seconded by Councilmember Spaulding;

Items submitted for the record

1. Text File No. R-1213-108 dated March 18, 2013, by Josh Malwick, Capital Projects Engineer
2. Resolution No. R-1213-108 with Exhibit A, Location Map, and Exhibit B, Property Ownership List

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Harold Heiple, 218 East Eufaula, Attorney representing some of the owners

and the question being upon adopting Resolution No. R-1213-108, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Resolution No. R-1213-108 was adopted.

* * * * *

Item 31, being:

RESOLUTION NO. R-1213-152: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE CEDAR LANE ROAD WIDENING PROJECT IN THE CITY OF NORMAN; DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY PURPOSES; AND DECLARING AN EMERGENCY.

Councilmember Kovach moved that Resolution No. R-1213-152 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-152 dated June 4, 2013, by Kathryn Walker, Assistant City Attorney
2. Cedar Lane Widening Project table listing parcels identified for possible condemnation
3. Resolution No. R-1213-152 with Exhibit A, Parcel 9.0, Exhibit B, Parcel 9.1, Exhibit C, Parcel 10.0, Exhibit D, Parcel 10.1, Exhibit E, Parcel 21.0, Exhibit F, Parcel 21.1, Exhibit G, Parcel 21.2
4. Cedar Lane Road Project Right of Way Acquisitions map

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. Harold Heiple, 218 East Eufaula, attorney representing some of the owners

and the question being upon adopting Resolution No. R-1213-152, a vote was taken with the following result:

YEAS:

Councilmembers Castleberry, Gallagher, Jungman, Kovach, Lockett, Williams, Mayor Rosenthal

NAYES:

Councilmember Spaulding

The Mayor declared the motion carried and Resolution No. R-1213-152 was adopted.

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MISCELLANEOUS DISCUSSION

Moore and Norman Tornadoes. Bobby Stevens, Post Office Box 6226, said thanked the City of Norman for helping the City of Moore. He enjoyed seeing everyone working together in trying times. He asked why it is not mandatory for builders to build a storm shelter with new construction. He said there should be an ordinance or resolution to help better protect our public. He said east Norman was hit just as bad as Moore, but it was just rural area and if west Norman got hit, it would have taken years to recover just like it will take Moore.

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Tullius Property. Bobby Stevens, Post Office Box 6226, said property rights were trampled on tonight and he does not agree with what happened. He believes big business had a lot to do with tonight's decision and it is not right.

*

Help Tornado Victims. Councilmember Williams wanted to remind everyone there are still a lot of families affected by the tornadoes that still need help. He encouraged everyone to continue to give their time and volunteer.

*

Recognizing Councilmember Williams. Councilmember Lockett thanked Councilmember Williams and Harvest Church for all they did during the recent tornados. She heard multiple people mention the work Harvest Church had done and it was above and beyond what was expected and she appreciated it.

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Miscellaneous Discussion, continued:

God Bless Norman. Councilmember Spaulding said "God Bless Norman."

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ADJOURNMENT

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

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 1:00 a.m.

ATTEST:

City Clerk

Mayor