

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

October 13, 2020

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 13th day of October, 2020, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Foreman,
Hall, Holman, Nash, Peacock,
Petrone, Mayor Clark

ABSENT: None

The Pledge of Allegiance was led by Mayor Clark.

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Item 3, being:

NOMINATION AND APPOINTMENT OF JOE CARTER TO FILL THE COUNCIL VACANCY IN WARD TWO.

Councilmember Holman moved that Joe Carter be appointed to fill the City Council vacancy in Ward Two, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

1. City Council Staff Report AP-2021-11 dated October 2, 2020, by Brenda Hall, City Clerk

and the question being upon appointing Joe Carter to fill the vacancy in Ward Two, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Foreman,
Hall, Holman, Peacock, Petrone,
Mayor Clark

NAYES: Councilmember Nash

The Mayor declared the motion carried and Joe Carter was appointed to fill the vacancy in Ward Two.

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Item 4, being:

ADMINISTERING THE OATH OF OFFICE TO AND SEATING OF COUNCILMEMBER-ELECT JOE CARTER, WARD TWO.

Associate Judge Drew Nichols administered the Oath of Office to Joe Carter, City Councilmember for Ward Two.

Items submitted for the record

1. City Council Staff Report AP-2021-12 dated October 2, 2020, by Brenda Hall, City Clerk

Thereupon, Councilmember Carter was formally seated.

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Item 5, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

- CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 22, 2020
- CITY COUNCIL MINUTES OF SEPTEMBER 22, 2020
- NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 22, 2020
- NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 22, 2020
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 22, 2020

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

Items submitted for the record

1. City Council Staff Report GID-2021-26 dated October 9, 2020, by Brenda Hall, City Clerk
2. City Council Special Session minutes of September 22, 2020
3. City Council minutes of September 22, 2020
4. Norman Utilities Authority minutes of September 22, 2020
5. Norman Municipal Authority minutes of September 22, 2020
6. Norman Tax Increment Finance Authority minutes of September 22, 2020

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

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

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

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Item 6, being:

PROCLAMATION P-2021-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING TUESDAY, OCTOBER 20, 2020, AS PAINT THE TOWN PINK DAY IN THE CITY OF NORMAN.

Councilmember Bierman moved that receipt of Proclamation P-2021-7 proclaiming Tuesday, October 20, 2020, as Paint the Town Pink Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Hall;

Items submitted for the record

1. City Council Staff Report P-2021-7 dated September 23, 2020, by Brenda Hall, City Clerk
2. Proclamation P-2021-7

Participants in discussion

1. Dr. Kristin Thorp, MD, Hematology Specialist, Norman Regional Health System, accepted the proclamation and thanked the Council

Item 6, continued:

and the question being upon acknowledging receipt of Proclamation P-2021-7 proclaiming Tuesday, October 20, 2020, as Paint the Town Pink Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation P-2021-7 proclaiming Tuesday, October 20, 2020, as Paint the Town Pink Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 7, being:

PROCLAMATION P-2021-8: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2020, AS CODE COMPLIANCE MONTH IN THE CITY OF NORMAN.

Councilmember Petrone moved that receipt of Proclamation P-2021-8 proclaiming the month of October, 2020, as Code Compliance Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. City Council Staff Report P-2021-8 dated October 5, 2020, by Brenda Hall, City Clerk
2. Proclamation P-2021-8

Participants in discussion

1. Mr. Kelvin Winter, Code Compliance Supervisor, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation P-2021-8 proclaiming the month of October, 2020, as Code Compliance Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation P-2021-8 proclaiming the month of October, 2020, as Code Compliance Month in the City of Norman acknowledged; and the filing thereof was directed.

* Councilmember Bierman was away from her chair when vote was taken.

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Item 8, being:

CONSENT DOCKET

Councilmember Foreman moved that Item 9 through Item 38 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Bierman; and the question being upon the placement on the consent docket by unanimous vote of Item 9 through Item 38, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Item 9 through Item 38 were placed on the consent docket by unanimous vote.

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Item 9, being:

CONSIDERATION OF ORDINANCE O-2021-4 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADOPTING AND RATIFYING THE ASSESSMENT ROLL FOR THE UNIVERSITY NORTH PARK BUSINESS IMPROVEMENT DISTRICT; ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT OR AN INSTALLMENT THEREOF; SETTING FORTH THE TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST AND RECORD WITH THE COUNTY CLERK OF CLEVELAND COUNTY, FOLLOWING PASSAGE OF THE PAYMENT DEADLINE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Peacock moved that Ordinance O-2021-4 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report O-2021-4 dated October 7, 2020 by Kathryn Walker, City Attorney
2. Ordinance O-2021-4 with Exhibit A, Assessment Roll
3. Assessment Plat

and the question being upon the Introduction and adoption of Ordinance O-2021-4 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Ordinance O-2021-4 was Introduced, read, and adopted upon First Reading by title.

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Item 10, being:

CONSIDERATION OF ORDINANCE O-2021-9 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE O-0910-17, AS AMENDED BY ORDINANCE O-1516-36, TO AMEND PART OF THE SOUTHEAST QUARTER OF SECTION TWELVE (12), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.W.)

Councilmember Peacock moved that Ordinance O-2021-9 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report O-2021-9 dated August 13, 2020, by Lora Hoggatt, Planning Services Manager
2. Ordinance O-2021-9
3. Application for Planned Unit Development Preliminary Plat, 2025 Amendment for Flint Hills submitted August 3, 2020, and revised September, 30, 2020, prepared by Rieger Law Group, P.L.L.C., with Exhibit A, Legal Description of the Property; Exhibit B, Preliminary Site Development Plan; Exhibit C, Preliminary Plat; Exhibit D, Allowable Uses; and Exhibit E, Green Space Exhibit
4. Location map
5. Planning Commission Staff Report dated September 10, 2020, recommending approval
6. Pertinent excerpts from Planning Commission minutes of September 10, 2020

and the question being upon the Introduction and adoption of Ordinance O-2021-9 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Ordinance O-2021-9 was Introduced, read, and adopted upon First Reading by title.

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Item 11, being:

CONSIDERATION OF ORDINANCE O-2021-16 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DETACHING PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF NORMAN, OKLAHOMA, AND DESIGNATING THE AREAS OR TRACTS INCLUDED IN SUCH DETACHMENTS; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF (SHELLEY ACRES TRACTS 1 AND 2 AND THAT PORTION OF PROPERTY ZONED I-2 HEAVY INDUSTRIAL LYING SOUTH OF BETHEL ROAD, NORTH OF INDIAN HILLS ROAD AND ALONG THE WEST EDGE OF RAILROAD RIGHT-OF-WAY).

Councilmember Peacock moved that Ordinance O-2021-16 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report O-2021-16 dated September 17, 2020, by Beth Muckala, Assistant City Attorney
2. Ordinance O-2021-16
3. Location map

Item 11, continued:

Items submitted for the record, continued

- 4. Letter dated August 25, 2020, from R. Blaine Nice, Fellers Snider, Attorneys at Law, to Brenda Hall, City Clerk
- 5. Petition for Detachment filed August 27, 2020, by R. Blaine Nice, Fellers Snider Blankenship Bailey & Tippens, P.C., on behalf of 34th Street Partners, L.L.C. with attached location map and Proof of Publication
- 6. Memorandum dated September 28, 2020, from Beth Muckala, Assistant City Attorney, thru Kathryn Walker, City Attorney, to Planning Commission and Honorable Mayor and City Councilmembers
- 7. Memorandum dated May 11, 2020, from Brenda Hall, City Clerk, to Kathryn Walker, City Attorney
- 8. Letter regarding Withdrawal of Petition for Requesting Detachment dated May 8, 2020, from R. Blaine Nice, Fellers Snider to Brenda Hall, City Clerk
- 9. Letter dated April 6, 2020, from R. Blaine Nice, Fellers Snider to Brenda Hall, City Clerk
- 10. Petition for Detachment dated April 1, 2020, by R. Blaine Nice, Fellers Snider Blankenship Bailey & Tippens, P.C., on behalf of 34th Street Partners, L.L.C. with attached location map and Proof of Publication
- 11. Petition Requesting Detachment dated May 8, 2020, from R. Blaine Nice, Fellers Snider, Attorneys at Law, to Brenda Hall, City Clerk with attached location map

and the question being upon the Introduction and adoption of Ordinance O-2021-16 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Ordinance O-2021-16 was Introduced, read, and adopted upon First Reading by title.

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Item 11A, being:

CONSIDERATION OF THE APPOINTMENT OF MITCH BAROFF, WARD 4, AS AN ALTERNATE MEMBER TO THE CENTER CITY FORM BASED CODE REVIEW COMMITTEE.

Councilmember Peacock moved that the appointment be confirmed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report AP-2021-13 dated October 9, 2020, by Brenda Hall, City Clerk

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and the appointment was confirmed.

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Item 12, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE NORMAN FORWARD FINANCIAL OVERSIGHT BOARD ANNUAL REPORT FROM JANUARY 1, 2020, THROUGH SEPTEMBER 30, 2020, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. City Council Staff Report RPT-2021-16 dated October 6, 2020, by Anthony Francisco, Finance Director
2. The City of Norman/Norman Municipal Authority NORMAN FORWARD Citizen Financial Oversight Board Annual Report for the period of January 1, 2020, through September 30, 2020

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

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

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Item 13, being:

CONSIDERATION OF AWARDING BID 2021-20; CONTRACT K-2021-29 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PRECISION CONCRETE CUTTING, INC., IN THE AMOUNT OF \$41,212.50; PERFORMANCE BOND B-2021-26; STATUTORY BOND B-2021-27, AND MAINTENANCE BOND MB-2021-15 FOR THE FYE 2021 SIDEWALK HORIZONTAL SAW CUTTING PROJECT; AND RESOLUTION R-2021-20 GRANTING TAX-EXEMPT STATUS.

Councilmember Peacock moved the bid as meeting specifications be accepted; the bid in the amount of \$41,212.50 be awarded to Precision Concrete Cutting, Inc., as the lowest and best bidder meeting specifications; Contract K-2021-29 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution R-2021-20 granting tax exempt status be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File K-2021-29 dated September 28, 2020, by Jack Burdett, Subdivision Development Coordinator
2. Tabulation of Bids dated July 30, 2020, for the Sidewalk Horizontal Saw Cutting Project
3. Contract K-2021-29
4. Performance Bond B-2021-26
5. Statutory Bond B-2021-27
6. Maintenance Bond MB-2021-15
7. Resolution R-2021-20
8. Project location map – Robinson Street
9. Project location map – Municipal Campus

Item 13, continued:

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and the bid in the amount of \$41,212.50 was awarded to Precision Concrete Cutting, Inc., as the lowest and best bidder meeting specifications; Contract K-2021-29 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution R-2021-20 granting tax exempt status was adopted.

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Item 14, being:

CONSIDERATION OF AWARDDING BID 2021-22; APPROVAL OF CONTRACT K-2021-35 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND FLINTCO, L.L.C., IN THE AMOUNT OF \$8,648,000; PERFORMANCE BOND B-2021-30; STATUTORY BOND B-2021-31; AND MAINTENANCE BOND MB-2021-17 FOR THE NORTH BASE COMPLEX PROJECT, PHASE 1; AND RESOLUTION R-2021-33 GRANTING TAX EXEMPT STATUS.

Acting as the City Council and Norman Municipal Authority, Councilmember Peacock moved all bids meeting specifications be accepted; the bid in the amount of \$8,648,000 be awarded to Flintco, L.L.C., as the lowest and best bidder meeting specifications; Contract K-2021-35 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution R-2021-33 granting tax exempt status be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. Text File K-2021-35 dated October 6, 2020, by Jason Spencer, Capital Projects Engineer
- 2. Tabulation of Bids dated September 24, 2020, North Base Complex, Phase 1
- 3. Contract K-2021-35
- 4. Performance Bond B-2021-30
- 5. Statutory Bond B-2021-31
- 6. Maintenance Bond MB-2021-17
- 7. Resolution R-2021-33
- 8. Project location map
- 9. Rendering of North Base Complex
- 10. Site plan
- 11. Funding Source Table

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$8,648,000 was awarded to Flintco, L.L.C., as the lowest and best bidder meeting specifications; Contract K-2021-35 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds be authorized; the filing of the bonds was directed; and Resolution R-2021-33 granting tax exempt status was adopted.

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Item 15, being:

CONSIDERATION OF AWARDING BID 2021-23, APPROVAL OF CONTRACT K-2021-41 BY AND BETWEEN THE CITY OF WITH W.E.B. CONSTRUCTION, INC., IN THE AMOUNT OF \$184,684; PERFORMANCE BOND B-2021-37, STATUTORY BOND B-2021-38; MAINTENANCE BOND MB-2021-24 FOR THE RELOCATION OF WATER LINES ASSOCIATED WITH THE 36TH AVENUE N.W. WATER LINE RELOCATION PROJECT, PHASE I, LOCATED BETWEEN TECUMSEH ROAD AND FRANKLIN ROAD AND RESOLUTION R-2021-36 GRANTING TAX EXEMPT STATUS.

Councilmember Peacock moved all bids meeting specifications be accepted; the bid in the amount of \$184,684 be awarded to W.E.B. Construction, Inc., as the lowest and best bidder meeting specifications; Contract K-2021-41 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution R-2021-36 granting tax exempt status be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File K-2021-41 dated September 28, 2020, by Paul D’Andrea, Capital Projects Engineer
2. Tabulation of Quotes dated October 13, 2020, for the 36th Avenue N.W. Water Relocation Project, Phase 1
3. Recommendation of Award dated September 28, 2020 from Michael J. Knapik, P.E., Project Manager, CP&Y, Inc., to Mr. Paul D’Andrea, City of Norman
4. Contract K-2021-41
5. Performance Bond B-2021-37
6. Maintenance Bond MB-2021-24
7. Statutory Bond B-2021-38
8. Resolution R-2021-36

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

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$184,684 was awarded to W.E.B. Construction, Inc., as the lowest and best bidder meeting specifications; Contract K-2021-41 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution R-2021-36 granting tax exempt status was adopted.

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Item 16, being:

AUTHORIZATION TO PURCHASE A TECHNICAL FIRE RESCUE VEHICLE FROM PIERCE MANUFACTURING THROUGH CONRAD FIRE EQUIPMENT IN THE AMOUNT OF \$402,819.04 UTILIZING THE HOUSTON GALVESTON AREA CONTRACT (HGAC).

Councilmember Peacock moved that authorization for the purchase of a Technical Fire Rescue Vehicle in the amount of \$402,819.04 from Pierce Manufacturing through Conrad Fire Equipment utilizing the HGAC be approved, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File GID-2021-21 dated September 22, 2020, by Travis King, Fire Chief
2. Apparatus Proposal dated September 18, 2020, from Conrad Fire Equipment in the amount of \$402,819.04 for Option 1
3. Photograph of a Technical Fire Rescue vehicle

Item 16, continued:

and the question being upon approving authorization for the purchase of a Technical Fire Rescue Vehicle in the amount of \$402,819.04 from Pierce Manufacturing through Conrad Fire Equipment utilizing the HGAC, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and authorization for the purchase of a Technical Fire Rescue Vehicle in the amount of \$402,819.04 from Pierce Manufacturing through Conrad Fire Equipment utilizing the HGAC was approved.

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Item 17, being:

SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY WATER LINE PERMIT WL000014200302 FOR THE INTERSTATE DRIVE WATER LINE REPLACEMENT PROJECT FROM NORTHWEST BOULEVARD TO RIVER OAKS DRIVE.

Councilmember Peacock moved that receipt of the permit be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File GID-2021-22 dated September 23, 2020, by Nathan Madenwald, Utilities Engineer
2. Letter dated September 8, 2020, from D. Adam Divine, P.E., Construction Permit Section, Water Quality Division, Oklahoma Department of Environmental Quality, to Mr. Mark Daniels, P.E., Utilities Engineer
3. Oklahoma Department of Environmental Quality Water Line Permit WL000014200302 dated September 8, 2020
4. Project location map

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

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

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Item 18, being:

CONSIDERATION OF A FINAL PLAT FOR BELLATONA ADDITION, SECTION 3, AND ACCEPTANCE OF THE PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE NORTH SIDE OF HIGHWAY 9 EAST OF 36TH AVENUE S.E., A CLOSED SECTION)

Councilmember Peacock moved that the final plat for Bellatona Addition, Section 3, be approved; the public dedications contained therein 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 receipt of a warranty deed for park land dedication requirements; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Carter;

Item 18, continued:

Items submitted for the record

- 1. City Council Staff Report FP-2021-2 dated September 28, 2020, by Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Final plat
- 4. Preliminary plat
- 5. Development Committee Staff Report dated August 27, 2020
- 6. Application for Development Committee Action dated August 24, 2020, from Bellatona Development, L.L.C., for Bellatona Addition, Section 3

and the question being upon approving the final plat for Bellatona Addition, Section 3, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and the final plat for Bellatona Addition, Section 3, approved; the public dedications contained therein 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 receipt of a warranty deed for park land dedication requirements, and the filing of the final plat was directed.

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Item 19, being:

CONSIDERATION OF A FINAL PLAT FOR EAGLE CLIFF SOUTH ADDITION, SECTION 7, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF CEDAR LANE ROAD AND ONE-QUARTER MILE WEST OF 12TH AVENUE S.E.)

Councilmember Peacock moved that the final plat for Eagle Cliff South Addition, Section 7, be approved; the public dedications contained therein 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 receipt of \$1,512 for traffic impact fees and \$1,637.50 for park land fees; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report FP-2021-3 dated September 28, 2020, by Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Final plat
- 4. Preliminary plat
- 5. Development Committee Staff Report dated August 27, 2020
- 6. Application for Development Committee Action dated August 24, 2020, from Farzanah Development, L.L.L.P., for Eagle Cliff South Addition, Section 7

Item 19, continued:

and the question being upon approving the final plat for Eagle Cliff South Addition, Section 7, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and the final plat for Eagle Cliff South Addition, Section 7, approved; the public dedications contained therein 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 receipt of \$1,512 for traffic impact fees and \$1,637.50 for park land fees, and the filing of the final plat was directed

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Item 20, being:

CONSIDERATION OF A FINAL PLAT FOR ONCUE #138 ADDITION. A REPLAT OF LOT 24 (LOT LINE ADJUSTMENT #559). GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 24TH AVENUE S.W. AND WEST LINDSEY STREET.

Councilmember Peacock moved that the final plat for Oncue #138 Addition be approved; the public dedications contained therein 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 Carter;

Items submitted for the record

- 1. City Council Staff Report FP-2021-4 dated September 29, 2020, by Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Final plat
- 4. Final site development plan
- 5. Preliminary plat
- 6. Development Committee Staff Report dated August 27, 2020

and the question being upon approving the final plat for Oncue #138 Addition, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and the final plat for Oncue #138 Addition approved; the public dedications contained therein 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 final plat was directed

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Item 18, being:

AMENDED CONSENT TO ENCROACH EN-1920-5: FOR LOT 11, BLOCK 1, BROOKHAVEN NO. 25 ADDITION, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. (3701 HIDDEN HILL ROAD)

Councilmember Peacock moved that the Amended Consent to Encroachment EN-1920-5 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report EN-1920-5, Amendment, dated September 29, 2020, by Beth Muckala, Assistant City Attorney
2. Memorandum dated September 11, 2020, from Brenda Hall, City Clerk, to Kathryn Walker, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; Ken Komiske, Director of Utilities; and Jane Hudson, Director of Planning and Community Development
3. Amended Consent to Encroachment EN-1920-5
4. Letter of request received September 11, 2020, from Christopher C. Lind, OBA#31402, Nichols Dixon, to Mrs. Brenda Hall, City Clerk with Exhibit A, legal description; Exhibit B, site plan, elevations, aerial map, location map, and preliminary plat of Brookhaven No. 25; Exhibit C, letter dated April 1, 2020, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Company to Carl Hendrix; Letter of No Objection dated August 28, 2020, from Shella Bohuslavicky, Right-of-Way Agent, Cox Communications, Inc., to Christopher Lind, Nichols Dixon; Letters of No Objection dated August 28, 2020, and April 14, 2020, from Robert Rielly, Manager of Engineering, Oklahoma Natural Gas Company, a Division of ONE Gas, Inc., to Hendrix Living Trust; Email dated August 26, 2020, from Jesse L. DeArmon, Manager, OSP Planning and Engineering Design, AT&T Technology Operations, to Christopher Lind; Letter dated April 6, 2020, from Kevin Thomas, Manager, Engineering and Design, AT&T Engineering/Construction, to Whom It May Concern; Email dated August 27, 2020, from Wes White, Manager of Field Design, Oklahoma Electric Cooperative, to Christopher Lind, Nichols Dixon; Confirmation Ticket ID 20082611511863 dated August 26, 2020 from Century Link
5. Memorandum dated October 6, 2020, from Jane Hudson, Director of Planning and Community Development, to Honorable Mayor and Councilmembers
6. Memorandum dated October 6, 2020, from Ken Danner, Subdivision Development Manager, to Beth Muckala, Assistant City Attorney
7. Letter of No Objection dated September 30, 2020, from Kristi Wilson, Cox Communications, Inc., to Ken Danner
8. Letter dated September 30, 2020, from Timothy J. Bailey, Right-of-Way Agent, Oklahoma Gas and Electric Company to Ken Danner, Development Coordinator
9. Email of No Objection dated September 30, 2020, from Wes White, Oklahoma Electric Cooperative, to Ken Danner
10. Memorandum dated September 29, 2020, from Nathan Madenwald, P.E., Capital Improvements Engineer, to Brenda Hall, City Clerk, with attached aerial map of 3701 Hidden Hill Road, sewer maps, and preliminary plat for Brookhaven 25

and the question being upon approving Amended Consent to Encroachment EN-1920-5 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman; Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Amended Consent to Encroachment EN-1920-5 approved; and the filing thereof with the Cleveland County Clerk was directed.

Item 22, being:

SPECIAL CLAIM SC-2021-4: SUBMITTED BY MARCIA HOSKINSON IN THE AGREED AMOUNT OF \$1,741.54 FOR DAMAGE TO HER VEHICLE WHEN IT WAS STRUCK BY A SANITATION DEPARTMENT TRASH TRUCK ON JULY 15, 2020, AT 1251 ALAMEDA STREET.

Councilmember Peacock moved that Special Claim SC-2021-4 be approved and payment in the agreed amount of \$1,741.54 be directed contingent upon obtaining a Release and Covenant Not to Sue from Marcia Hoskinson, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File SC-2021-4 dated September 29, 2020, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated August 4, 2020, from Brenda Hall, City Clerk, to Ken Komiske, Director of Utilities, and Kathryn Walker, City Attorney
3. Special Claim SC-2021-4 filed August 4, 2020, by Marcia Hoskinson in the amount of \$2,118.59
4. Damage Estimate 664398 dated July 29, 2020, in the amount of \$1,741.54 from Collision Works
5. Official Oklahoma Traffic Collision Report Case 2020-00045976 dated July 15, 2020

and the question being upon approving Special Claim SC-2021-4 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and Special Claim SC-2021-4 approved; and payment in the agreed amount of \$1,741.54 was directed contingent upon obtaining a Release and Covenant Not to Sue from Marcia Hoskinson.

* * * * *

Item 23, being:

CONSIDERATION OF PAYMENT OF QUALITY JOBS INCENTIVE TO THE NORMAN ECONOMIC DEVELOPMENT COALITION IN THE AMOUNT OF \$61,736.25 IN ACCORDANCE WITH CONTRACT K-1314-106, UNIVERSITY NORTH PARK TAX INCREMENT FINANCE DISTRICT #2 (TIF) DEVELOPMENT AGREEMENT NO. 6, AS AMENDED.

Councilmember Peacock moved that payment of Quality Jobs Incentive in the amount of \$61,736.25 to Norman Economic Development Coalition (NEDC) be approved and payment be directed to NEDC; which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File GID-2021-24 dated September 29, 2020, by Kathryn Walker, City Attorney
2. Memorandum dated October 8, 2020, from Kathryn Walker, City Attorney, to Darrel Pyle, City Manager, and Anthony Francisco, Finance Director
3. Contract K-1314-106, Development Agreement No. 6
4. IMMY Quality Job Incentive Earnings for 2019 assigned to NEDC
5. IMMY Quality Job Incentive Projections assigned to NEDC

Item 23, continued:

Participants in discussion

1. Ms. Kathryn Walker, City Attorney

and the question being upon approving payment of Quality Jobs Incentive in the amount of \$61,736.25 to NEDC and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter,
Foreman, Hall, Nash, Peacock,
Petroni, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and payment of Quality Jobs Incentive in the amount of \$61,736.25 to NEDC approved; and payment was directed to NEDC.

* * * * *

Item 24, being:

CHANGE ORDER NO. TWO TO CONTRACT K-1819-113: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SILVER STAR CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$206,335.28 FOR A REVISED CONTRACT AMOUNT OF \$1,729,119.28 FOR THE URBAN ASPHALT PAVEMENT REPAIR CAPITAL IMPROVEMENT PROJECT #1 (2015, 2016, AND 2019), FINAL ACCEPTANCE OF THE PROJECT AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Peacock moved that Change Order No. Two to Contract K-1819-113 with Silver Star Construction Company, Inc., increasing the contract amount by \$206,335.28 for a revised contract amount of \$1,729,119.28 be approved; the execution thereof be authorized; the project be accepted; final payment in the amount of \$86,456.02 be directed to Silver Star Construction Company, Inc.; and \$86,456.02 be transferred from Project SC0657, Rural Roads System Improvements Project, Franklin from 1400 W Franklin Rd to 12th Ave NE, Materials (50596696-46301) to Project SC0581, Asphalt Pavement Maintenance Project, 36th Ave NE from Alameda to Robinson. Construction (50595511-46101), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-1819-113, Change Order No. Two, dated September 29, 2020, by Jason Spencer, Capital Projects Engineer
2. Change Order No. Two to Contract K-1819-113
3. Cost Summary Table
4. Funding Table
5. Application and Certificate for Payment with a current payment due of \$86,456.02 from Silver Star Construction Company, Inc.
6. Progress Bill dated September 14, 2020, in the amount of \$86,456.02 from Silver Star Construction Company, Inc.
7. Urban Asphalt Pavement Repair Bid 1 Locations
8. Project location maps

Item 24, continued:

and the question being upon approving Change Order No. Two to Contract K-1819-113 with Silver Star Construction Company, Inc., increasing the contract amount by \$206,335.28 for a revised contract amount of \$1,729,119.28 and upon the subsequent authorization, acceptance, directive, and transfer, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Change Order No. Two to Contract K-1819-113 with Silver Star Construction Company, Inc., increasing the contract amount by \$206,335.28 for a revised contract amount of \$1,729,119.28 approved; the execution thereof was authorized; the project was accepted; final payment in the amount of \$86,456.02 was directed to Silver Star Construction Company, Inc.; and \$86,456.02 was transferred from Project SC0657, Rural Roads System Improvements Project, Franklin from 1400 W Franklin Rd to 12th Ave NE, Materials (50596696-46301) to Project SC0581, Asphalt Pavement Maintenance Project, 36th Ave NE from Alameda to Robinson. Construction (50595511-46101).

* * * * *

Item 25, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1819-114: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SILVER STAR CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$249,510.80 FOR A REVISED CONTRACT AMOUNT OF \$1,669,138.30 FOR THE URBAN ASPHALT PAVEMENT REHABILITATION CAPITAL IMPROVEMENT PROJECT #2 (FYE 2017-2019), FINAL ACCEPTANCE OF THE PROJECT AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Peacock moved that Change Order No. One to Contract K-1819-114 with Silver Star Construction Company, Inc., increasing the contract amount by \$249,510.80 for a revised contract amount of \$1,669,138.30 be approved; the execution thereof be authorized; the project be accepted; final payment in the amount of \$83,456.93 be directed to Silver Star Construction Company, Inc.; and \$83,456.93 be transferred from Project SC0657, Rural Road System Improvements Project - Franklin Rd from 1400 W Franklin Rd to 12th NE, Materials (50596696-46301) to Project SC0602, Asphalt Pavement Maintenance Project - Rock Creek from 48th NW to 72nd NW, Construction (50595511-46101), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-1819-114, Change Order No. One, dated September 13, 2020, by Tony Mensah, Streets Superintendent
2. Change Order No. One to Contract K-1819-114
3. Cost Summary Table
4. Funding Table
5. Application and Certificate for Payment with a current payment due of \$83,456.93 from Silver Star Construction Company, Inc.
6. Urban Asphalt Pavement Repair Bid 2 Locations
7. Project location maps

Item 25, continued:

and the question being upon approving Change Order No. One to Contract K-1819-114 with Silver Star Construction Company, Inc., increasing the contract amount by \$249,510.80 for a revised contract amount of \$1,669,138.30 and upon the subsequent authorization, acceptance, directive, and transfer, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Change Order No. One to Contract K-1819-114 with Silver Star Construction Company, Inc., increasing the contract amount by \$249,510.80 for a revised contract amount of \$1,669,138.30 approved; the execution thereof was authorized; the project was accepted; final payment in the amount of \$83,456.92 was directed to Silver Star Construction Company, Inc.; and \$83,456.93 was directed to Silver Star Construction Company, Inc.; and \$83,456.93 was transferred from Project SC0657, Rural Road System Improvements Project - Franklin Rd from 1400 W Franklin Rd to 12th NE, Materials (50596696-46301) to Project SC0602, Asphalt Pavement Maintenance Project - Rock Creek from 48th NW to 72nd NW, Construction (50595511-46101).

* * * * *

Item 26, being:

FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT K-1920-90 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STREETS, L.L.C., FOR THE EMERGENCY REPLACEMENT OF THE HEATING AND AIR CONDITIONING SYSTEM AT THE ANIMAL WELFARE CENTER.

Councilmember Peacock moved that the project be accepted and final payment in the amount of \$256,812 be directed to Streets, L.L.C., which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. Text File K-1920-90, Final, dated October 6, 2020, by Major Jamie Shattuck
- 2. Invoice 13543 dated June 29, 2020, in the amount of \$256,812 from Street, L.L.C.
- 3. Application and Certification for Payment dated June 29, 2020, in the amount of \$256,812 from Streets, L.L.C.

Participants in discussion

- 1. Mr. Kevin Foster, Police Chief

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$256,812 was directed to Streets, L.L.C.

* * * * *

Item 27, being:

FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT K-2021-7: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY FOR THE ALLEY RECONSTRUCTION PROJECT, MACY STREET TO EMELYN STREET.

Councilmember Peacock moved that the project be accepted and final payment in the amount of \$4,015.28 be directed to Rudy Construction Company, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. Text File K-2021-7, Final, dated September 30, 2020, by Jason Spencer, Capital Projects Engineer
- 2. Application and Certification for Payment dated September 8, 2020, in the amount of \$4,015.28 from Rudy Construction Company
- 3. Project location map

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

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$4,015.28 was directed to Rudy Construction Company

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Item 28, being:

CONTRACT K-2021-39: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FREESE AND NICHOLS, INC., IN THE AMOUNT OF \$207,160 FOR THE LAKE THUNDERBIRD TOTAL MAXIMUM DAILY LOAD (TMDL) MONITORING DATA ANALYSIS, COMPLIANCE AND MONITORING PLAN UPDATE.

Councilmember Peacock moved that Contract K-2021-39 with Freese and Nichols, Inc., in the amount of \$207,160 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report K-2021-39 dated September 17, 2019, by Carrie Evenson, Stormwater Program Manager
- 2. Contract K-2021-39 with Attachment A, Scope of Services; Attachment B, Schedule; Attachment C, Compensation; and Attachment D, Owner’s Responsibilities

and the question being upon approving Contract K-2021-39 with Freese and Nichols, Inc., in the amount of \$207,160 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and Contract K-2021-39 with Freese and Nichols, Inc., in the amount of \$207,160 approved and the execution thereof was authorized.

* * * * *

Item 29, being:

CONTRACT K-2021-57: A PUBLIC TRANSIT REVOLVING FUND AGREEMENT BY BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) DISTRIBUTING A MAXIMUM AMOUNT OF FUNDS IN AN AMOUNT NOT-TO-EXCEED \$134,285 IN ONE (1) BILLING PAYABLE ON OR AFTER NOVEMBER 1, 2020, SUCH FUNDS TO BE USED FOR ESTABLISHING, EXPANDING, IMPROVING, AND MAINTAINING THE CITY OF NORMAN’S URBAN PUBLIC MASS TRANSPORTATION SERVICES AND BUDGET APPROPRIATION.

Councilmember Peacock moved that Contract K-2021-57 with ODOT distributing a maximum amount of funds in an amount not-to-exceed \$134,285 in one (1) billing payable on or after November 1, 2020, the execution thereof be authorized, and \$134,285 be appropriated from Other Revenue/State Grant Reimbursement (275-331380) to Public Transportation and Parking Fund Transportation-Operations (27550277-44766), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-2021-57 dated September 15, 2020, by Taylor Johnson, Public Transit Coordinator
2. Contract K-2021-57 with Exhibit A, Status Verification System Affidavit
3. Self-Insurance letter dated May 29, 2020, from Clint Mercer, CPA, Chief Accountant

and the question being upon approving Contract K-2021-57 with ODOT distributing a maximum amount of funds in an amount not-to-exceed \$134,285 in one (1) billing payable on or after November 1, 2020, and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and Contract K-2021-57 with ODOT distributing a maximum amount of funds in an amount not-to-exceed \$134,285 in one (1) billing payable on or after November 1, 2020; the execution thereof was authorized, and \$134,285 was appropriated from Other Revenue/State Grant Reimbursement (275-331380) to Public Transportation and Parking Fund Transportation-Operations (27550277-44766).

* * * * *

Item 30, being:

CONTRACT K-2021-58: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO PROVIDE FUNDING IN THE AMOUNT OF \$10,400 AS A PART OF THE UNIFIED PLANNING WORKS PROGRAM FOR THE COLLECTION OF TRAFFIC DATA AND BUDGET APPROPRIATION FROM THE SPECIAL REVENUE FUND BALANCE.

Councilmember Peacock moved that Contract K-2021-58 with ACOG in the amount of \$10,400 be approved, the execution thereof be authorized, and \$10,400 be appropriated from the Special Grants Fund Balance (22-29000) to Traffic Signal Parts (22550223-43212), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-2021-58 dated September 29, 2020, by David Riesland, Traffic Engineer
2. Contract K-2021-58 with Exhibit A, Federal-Aid Eligibility Certification; Exhibit B, Addendum to Form FHWA-1273, Required Contract Provisions; Exhibit C, Nondiscrimination of Employees; Exhibit D, Oklahoma Department of Transportation Disadvantaged Business/Women’s Business Enterprises Policy Statement; Exhibit E, Certification for Federal-Aid Contracts

Item 30, continued:

and the question being upon approving Contract K-2021-58 with ACOG in the amount of \$10,400 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Contract K-2021-58 with ACOG in the amount of \$10,400 approved; the execution thereof was authorized, and \$10,400 was appropriated from the Special Grants Fund Balance (22-29000) to Traffic Signal Parts (22550223-43212).

* * * * *

Item 31, being:

RESOLUTION R-2021-51: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROHIBITING ON-STREET PARKING ON THE EAST SIDE OF THE 1300 BLOCK OF LINCOLN AVENUE FROM LINDSEY STREET TO FARMER STREET AND DIRECTING STAFF TO PLACE APPROPRIATE SIGNAGE INDICATING PROHIBITION.

Councilmember Peacock moved that Resolution R-2021-51 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-51 dated September 23, 2020, by David Riesland, Transportation Engineer
- 2. Resolution R-2021-51
- 3. Location map

and the question being upon adopting Resolution R-2021-51, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Resolution R-2021-51 was adopted.

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Item 32, being:

RESOLUTION R-2021-52: A RESOLUTION OF CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING \$1,943,392 FROM FEDERAL TRANSIT ADMINISTRATION GRANT REVENUE; \$2,028,435 FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND DISASTER RECOVERY GRANT REVENUE; \$10,400 FROM THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS GRANT REVENUE; AND \$3,035 FROM THE SEWER MAINTENANCE FUND BALANCE, TO CLOSE OUT YEAR END ACCOUNTING ENTRIES FOR FYE 2020.

Councilmember Peacock moved that Resolution R-2021-52 be adopted, which motion was duly seconded by Councilmember Carter;

Item 32, continued:

Items submitted for the record

- 1. City Council Staff Report R-2021-52 dated September 29, 2020, by Anthony Francisco, Finance Director
- 2. Resolution R-2021-52
- 3. Memorandum dated September 23, 2020, from Kim Coffman, Budget Manager, through Anthony Francisco, Director of Finance, to Darrel Pyle, City Manager
- 4. FYE 2020 Year-End Cleanup

and the question being upon adopting Resolution R-2021-52, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Resolution R-2021-52 was adopted.

* * * * *

Item 33, being:

RESOLUTION R-2021-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GRANTING AN EXEMPTION TO RESOLUTION R-1516-94 TO ALLOW FOR A PRIVATE DRIVEWAY MAINTAINED BY PROPERTY OWNERS. LOCATED 2,030 FEET WEST OF 156TH AVENUE S.E. ON THE NORTH SIDE OF IMHOFF ROAD.

Councilmember Peacock moved that Resolution R-2021-53 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-53 dated September 29, 2020, by Ken Danner, Subdivision Development Manager
- 2. Resolution R-2021-53
- 3. Location map
- 4. Letter of request dated August 3, 2020, from Beverly Fritzler, Harry L. Fritzler, and Breawna Fritzler, to City of Norman
- 5. Resolution R-1516-94 with Attachment, locations
- 6. Resolution R-1819-116
- 7. Rural Certificate of Survey for Prairie Creek Ranch

and the question being upon adopting Resolution R-2021-53, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Resolution R-2021-53 was adopted.

* * * * *

Item 34, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2021-3 FOR PRAIRIE CREEK RANCH. (GENERALLY LOCATED ON THE NORTH SIDE OF EAST IMHOFF ROAD APPROXIMATELY 2,030 FEET WEST OF 156TH AVENUE S.E.)

Councilmember Peacock moved that Norman Rural Certificate of Survey COS-2021-3 for Prairie Creek Ranch be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. Text File COS-2021-3 dated August 13, 2020, by Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Norman Rural Certificate of Survey COS-2021-3
- 4. Planning Commission Staff Report dated September 10, 2020, recommending approval
- 5. Greenbelt Commission Final Comments dated August 17, 2020
- 6. Pertinent excerpts from Planning Commission minutes of September 10, 2020

and the question being upon approving Norman Rural Certificate of Survey COS-2021-3 for Prairie Creek Ranch and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and Norman Rural Certificate of Survey COS-2021-3 for Prairie Creek Ranch approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 35, being:

RESOLUTION R-2021-54: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP) AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE(S) TO IMPLEMENT THE PLAN.

Councilmember Peacock moved that Resolution R-2021-54 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-54 dated September 21, 2020, by Taylor Johnson, Public Transit Coordinator
- 2. Resolution R-2021-54
- 3. Oklahoma Department of Transportation Agency Safety Plan for City of Norman dated September, 2020

and the question being upon adopting Resolution R-2021-54, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	Councilmember Holman
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The Mayor declared the motion carried and Resolution R-2021-54 was adopted.

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Item 36, being:

RESOLUTION R-2021-55: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION BLOCK GRANT PROGRAM URBANIZED AREA (STBG-UZA) FUNDS FOR GRAY STREET TWO-WAY CONVERSION BETWEEN UNIVERSITY BOULEVARD AND PORTER AVENUE IN NORMAN.

Councilmember Peacock moved that Resolution R-2021-55 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-55 dated September 29, 2020, by David Riesland, Transportation Engineer
- 2. Resolution R-2021-55
- 3. Oklahoma Department of Transportation Agency Safety Plan for City of Norman dated September, 2020

and the question being upon adopting Resolution R-2021-55, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Resolution R-2021-55 was adopted.

* * * * *

Item 37, being:

RESOLUTION R-2021-56: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$27,300 FROM THE FEDERAL SEIZURE AND RESTITUTION FUND BALANCE TO PROVIDE FUNDING FOR YEAR THREE OF THE AXON TECHNOLOGY ASSURANCE PLAN UNDER CONTRACT K-1819-57.

Councilmember Peacock moved that Resolution R-2021-56 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-56 dated October 5, 2020, by Major David Teuscher
- 2. Resolution R-2021-56
- 3. Contract K-1819-57
- 4. Resolution R-1920-66
- 5. Invoice SI-1683435 dated September 16, 2020, in the amount of \$27,300 from Axon Enterprise, Inc.

Participants in discussion

- 1. Mr. Kevin Foster, Police Chief
- 2. Mr. Anthony Francisco, Finance Director

and the question being upon adopting Resolution R-2021-56, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Resolution R-2021-56 was adopted.

* * * * *

Item 38, being:

RESOLUTION R-2021-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACKNOWLEDGING THE RECEIPT OF THE ASSESSMENT ROLL AND ASSESSMENT PLAT FOR THE UNIVERSITY NORTH PARK BUSINESS IMPROVEMENT DISTRICT, INSTRUCTING THE CITY CLERK TO GIVE NOTICE OF A HEARING ON THE PROPOSED ASSESSMENT ROLL; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Peacock moved that Resolution R-2021-59 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report R-2021-59 dated October 8, 2020, by Kathryn Walker, City Attorney
2. Resolution R-2021-59
3. 2021 University North Park Assessment Roll
4. Assessment Plat

and the question being upon adopting Resolution R-2021-59, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Nash, Peacock, Petrone, Mayor Clark

NAYES: Councilmember Holman

The Mayor declared the motion carried and Resolution R-2021-59 was adopted.

* * * * *

Item 39, being:

PUBLIC HEARING REGARDING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$26,226 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 \$23,603 TO BE USED BY THE POLICE DEPARTMENT TO PURCHASE CROWD MANAGEMENT EQUIPMENT, SOFTWARE, AND AUDIO VISUAL EQUIPMENT, APPROVAL OF CONTRACT K-2021-60, AND BUDGET APPROPRIATION FROM THE SPECIAL GRANT REVENUE FUND BALANCE.

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

Items submitted for the record

1. City Council Staff Report K-1920-74 dated September 30, 2019, by John Stege, Grants Manager
2. Letter dated September 27, 2019, from Katharine T. Sullivan, Principal Deputy Assistant Attorney General, United States Department of Justice Programs, United States Department of Justice, to the Honorable Breea Clark
3. Letter dated September 27, 2019, from Michael L. Alston, Director, Office of Civil rights and Justice Programs, United States Department of Justice, to the Honorable Breea Clark
4. Contract K-1920-74, Grant Award

Item 39, continued:

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES: None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. John Stege, Professional Standards Administrator, Police Department
2. Mr. Kevin Foster, Police Chief
3. Mr. Darrel Pyle, City Manager
4. Ms. Marcie King, Ward 6, asked questions
5. Allen, Ward 8, protestant
6. Ms. Christen Thomas, Ward 6, protestant
7. Ms. Cynthia Rogers, Ward 4, asked questions
8. Ms. Caroline Webb, Ward 1, protestant
9. Ms. Lynne Pruitt, Ward 2, proponent
10. Ms. Megan Straughan, Ward 2, protestant
11. Ms. Brandi Studley, Ward 1, protestant
12. Mr. Michael Blunck, Ward 2, protestant
13. Mr. Micah Livingston, Ward 4, protestant
14. Mr. John Barbour, Ward 8, proponent
15. Mr. Douglas Dodge, Ward 8, proponent
16. Ms. Melanie Mitchum, Ward 5, protestant
17. Ms. Amanda Wilson, Ward 1, proponent
18. Ms. Alexandra Penner, Ward 1, protestant
19. Mr. Clarence Hill, Ward 6, proponent
20. Ms. Marcy Koetter-Manson, Ward 4, protestant
21. Mr. Robert Campbell, Ward 6, protestant
22. Mr. Alex Lanphere, Ward 2, protestant
23. Ms. Jennifer Shattuck, Ward 6, asked questions
24. Benjamin, Shawnee, made comments
25. Ms. Ann Gallagher, Ward 6, asked questions
26. Mr. Stephen Ellis, Ward 4, made comments
27. Ms. Zell Scott, Oklahoma City, made comments

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

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES: None

The Mayor declared the motion carried and the public hearing was closed.

Item 39, continued:

Thereupon, Councilmember Peacock moved that a grant in the amount of \$26,336 from DOJ/BJA through the Edward Byrne Memorial Justice Assistance Grant Program to be used by the Police Department be accepted, Contract K-2021-60 be approved; the execution thereof be authorized; and \$26,226 be appropriated from the Special Grant Fund Balance (22-29000) designating \$2,623 to Project GP0034, Pass Through-CCSO (22660117-44754); \$12,849 to Project GP0034, Crowd Management-Protective Equipment (22660117-45999); \$5,000 to Project GP0034, Crowd Management-Training (22660117-44604); \$2,414 to Project GP0034, Teleconferencing-A/V Equipment, (22660117-43208); and \$3,340 to Project GP0034, Teleconferencing-Software (22660117-43018); and upon reimbursement, funds be deposited into other JAG Grant Revenue (226333352), which motion was duly seconded by Councilmember Foreman;

Participants in discussion

1. Mr. John Stege, Professional Standards, Norman Police Department
2. Mr. Kevin Foster, Police Chief

and the question being upon accepting a grant in the amount of \$26,336 from DOJ/BJA through the JAG Program to be used by the Police Department and upon the subsequent approval, authorization, appropriation, and deposit, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Carter, Foreman, Nash, and Peacock
NAYES:	Councilmembers Bierman, Hall, Holman, Petrone, Mayor Clark

The Mayor declared the motion failed and a grant in the amount of \$26,336 from DOJ/BJA through the Edward Byrne Memorial Justice Assistance Grant Program to be used by the Police Department was not accepted; Contract K-2021-60 was not approved; the execution thereof was not authorized; and \$26,226 was not appropriated from the Special Grant Fund Balance (22-29000) designating \$2,623 to Project GP0034, Pass Through-CCSO (22660117-44754); \$12,849 to Project GP0034, Crowd Management-Protective Equipment (22660117-45999); \$5,000 to Project GP0034, Crowd Management-Training (22660117-44604); \$2,414 to Project GP0034, Teleconferencing-A/V Equipment, (22660117-43208); and \$3,340 to Project GP0034, Teleconferencing-Software (22660117-43018).

* * * * *

Item 40, being:

MISCELLANEOUS COMMENTS

Item 39, Police Grant. Ms. Kristen Thomas, Ward 6, asked Council to do more research on anything that was offered by the Federal Government.

Ms. Anna Merritt, Ward 5, asked how this Council can say they want officers to be safe when they currently wear used, expired equipment?

Mr. Micah Livingston, Ward 4, said he was disappointed the grant did not pass.

Mr. Michael Blunck, Ward 2, said he liked how the discourse went and proud of City Council as whole. He voiced concerns about safety on Election Day. He said the potential threat should be addressed. He said to make the public feel safe, it would be good to have a handful of officers at the polls.

Mr. David Malone, Ward 3, said the vote went really well.

Councilmember Hall said the Police Department made really good decisions during the protests earlier this year. She said she has a responsibility to her constituents and that is why she voted no tonight.

*

Miscellaneous Discussion, continued:

November 3rd Election. Councilmember Bierman said the Cleveland County Election Board could use poll workers for the November 3rd Election. She said those who are interested can sign up on the Election Board website. She said absentee ballots can be obtained also and it costs \$.58 to mail the ballot.

Councilmember Petrone asked everyone to vote.

Councilmember Nash said he and his wife had already dropped off their absentee ballots at the Election Board.

Councilmember Holman said he would like to know more about the pros and cons of the software listed that would have been purchased with the grant funds.

Councilmember Holman said it was very safe for voters in Oklahoma.

*

Comments about David Perry. Councilmember Carter said David Perry had always encouraged him while he was on Council and when he decided not to run for office, he felt comforted by the fact that David was going to run for office and they share many opinions about policies of the City. He said he is humbled now to take David's place and plans to work on issues that they both shared.

*

City Council Retreat. Councilmember Petrone said she looks forward to the City Council Retreat next weekend in order to become better acquainted with new Councilmembers.

Councilmember Hall asked her constituents to contact her if they have questions or issues for her to discuss at the retreat.

Councilmember Foreman said she had already received many comments from her constituents and she was ready for the retreat.

Mayor Clark said she needed to clarify that this would be a Virtual Retreat and she was sorry to announce that. She said when it was safe, she promised to have some kind of fun get together.

Councilmember Foreman asked if the retreat would be on YouTube and Ms. Brenda Hall, City Clerk, said it would not but she would be in City Council Chambers if anyone wanted to come in.

Councilmember Peacock said he had a long list of things to discuss at the retreat and asked Ward 8 constituents to contact him if they wanted to add some items to the list.

*

Center City Form Based Code Review Committee. Councilmember Hall thanked Mr. Mitch Baroff from Ward 4 who has stepped up to fill a need for an alternate member from Ward 4 on the Center City Form Based Code Review Committee.

*

Welcome Back Councilmember Carter. Councilmember Nash welcomed by Councilmember Carter and said he looked forward to getting to know him better.

*

Miscellaneous Discussion, continued:

Happy Birthday Councilmember Foreman. Councilmember Foreman said Wednesday, October 14th, is her birthday. She said usually she is very reflective the night before her birthday and she never thought she would close out her 36th year at a City Council meeting. She thanked everyone for being here with her this evening.

Mayor Clark said she was sorry to ruin Councilmember Foreman’s birthday by announcing that the retreat would not be live.

Councilmember Peacock wished Councilmember Foreman a “Happy Birthday”.

*

Comments from the Public. Councilmember Holman wanted to clarify that anyone can speak at a City Council Meeting, those from Norman and those from other cities. He said he would like some clarification about the exact policy about those who speak at Council meetings providing names and addresses. He knows there are rules to be followed but had concerns about some people being afraid to give their names.

*

Temporary Outdoor Seating for Restaurants. Councilmember Peacock encouraged local businesses to take advantage of the temporary outdoor expansion for eating establishments to allow more seating outside for patrons. He said this allows people to go out an eat and social distance at the same time.

*

Watershed Cleanup at Saxon Park. Mayor said on Sunday, October 25th from 1:00-2:00 p.m. is the next Watershed Cleanup at Saxon Park located on Highway 9 and 36th Avenue S.E. She said this is a perfect opportunity to get some fresh air and enjoy the sunshine.

*

Recycling Drop Off Center Temporarily Moved to Westwood Park. Mayor Clark announced that the Recycling Drop Off Center that was on Porter Avenue on Cleveland County property has been temporarily moved to Westwood Park while improvements are being made on the County Fairgrounds.

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Item 41, being:

ADJOURNMENT

The Mayor adjourned the meeting at 10:15 p.m.

ATTEST:

City Clerk

Mayor