

CITY COUNCIL STUDY SESSION MINUTES

May 7, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Conference Room on the 7th day of May, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:

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

ABSENT:

Councilmember Spaulding

Item 1, being:

CONTINUED DISCUSSION REGARDING THE FYE 2014 CITY OF NORMAN CAPITAL BUDGET.

Ms. Linda Price, Revitalization Manager, highlighted the revenue sources of the FYE 2014 Capital Budget, i.e., User Fees, \$11,016,518; Sewer Maintenance Rate, \$2,788,000; Sewer Excise Tax, \$26,019; Capital Sales Tax, \$15,391,586; Public Safety Sales Tax, \$45,000; Room Tax, \$170,000; Bonds, \$13,780,712; Private \$248,747; and Community Park Fee, \$35,000. The Capital Improvement Charge, Sewer Replacement Charge, Tax Increment Financing, and Grants were zero.

The Capital Budget expenditures for FYE 2014 total \$43,501,582 and include: Capital Outlay, \$3,222,296; Maintenance of Existing Facilities, \$597,500; Personnel and Services, \$1,121,820; Street Maintenance, \$5,291,993; Transportation, \$15,476,827; Buildings and Grounds, \$2,682,600; Parks and Recreation, \$880,000; Stormwater, \$385,500; Wastewater, \$7,558,771; and Water, \$6,284,775.

The FYE 2014 Capital Fund 50 proposed budget is \$29,453,036 and the expenditures by category include Capital Outlay, \$3,147,296; Street Maintenance, \$2,070,156; Maintenance of Existing Facilities, \$597,500; Other capital projects, \$5,438,715; Salaries and Benefits, \$877,766; Transfers, \$319,054; and Bond Projects, \$3,221,837.

Ms. Price said in FYE 2009 began a multiple year period of intense construction related to streets, bridges, signalization, highways and interstates, sidewalks, and trails by both the City and the Oklahoma Department of Transportation (ODOT) followed by transportation and stormwater projects in 2012. She said the FYE 2014-2018 Capital Improvements Plan project assumptions include decreases in costs and postponements in the following projects:

- Postpone apparatus/equipment maintenance and storage building to 2015 (\$730,000)
- Postpone Sutton Wilderness Dam to 2015 (\$750,000)
- Postpone Municipal Judicial design to 2016 (286,000)
- Postpone Indian Hills Road signals (east and west interchanges at I-35) to 2015 (\$200,000)
- Delete funding for one year: alley repair (\$190,000) traffic calming (\$100,000) and concrete valley gutter (\$75,000)
- Reduce bridge maintenance to \$100,000 (\$50,000)
- Reduce driveway repair to \$10,000 (15,000)
- Postpone US 77 and Post Oak Road signal design to 2015 (\$15,000)
- Postpone Main Street downtown improvements to 2015 (\$517,622)

Proposed New Infrastructure Projects in FYE 2014:

- Westwood pool tank and pump replacements for slide pool (\$150,000)
- Westwood Tennis Center plexipave overlay (\$60,000)
- Recreation Center basketball goal replacements (\$21,000)
- Andrews Park pavilion replacement – damaged in April 2012 tornado (\$20,000)
- Andrews Park reforestation damaged in April 2012 tornado (\$20,000)
- 12th Avenue Sport Court gym floor replacement (\$96,000)

City Council Study Session Minutes

May 7, 2013

Page 2

Item 1 continued:

- Kids Space Playground maintenance (\$30,000)
- Griffin Soccer Field lighting (\$170,000)
- Building A HVAC (\$725,000)
- Municipal Complex signage (\$50,000)
- Municipal Complex painting (\$50,000)
- Library plumbing upgrade (\$5,000)
- Animal Welfare generator (\$45,000)
- Police Range safety lights (\$24,000)
- Animal Welfare fencing (\$15,000)
- City phone system replacement updating from analog to Voice Over IP (\$265,000)
- Fleet Facility window replacement (\$45,000)
- 36th Avenue N.W. and Havenbrook Drive signal utility relocation (\$50,000)
- 12th Avenue N.E. and High Meadows Drive signal utility relocation (\$10,000)
- 12th Avenue N.E. and Indian Hills Road signal-City share of design (\$5,000)
- Boyd Street and University Boulevard signal replacement and interconnect design (\$50,000)
- 24th Avenue N.W. and Tee Drive signal design (\$150,000)
- Pavement overlays-City share (\$401,115): Lindsey Street from Berry Road to Jenkins Avenue, Constitution Avenue from Jenkins Avenue to Classen Boulevard, and Imhoff Road from Classen Boulevard to 24th Avenue S.E.
- Alameda Street from 48th Avenue East to 60th Avenue East
- Rock Creek Road at 12th Avenue N.W. and Trailwoods Drive signal design (\$95,000)
- McKinley School construction of a lane on west side of school to improve traffic circulation (\$50,000)
- Cambridge Addition drainage improvements (\$65,000)
- 10 Mile Flat Creek Letter of Map Revision(LOMR) (\$75,000)
- Brookhaven Creek and Rock Creek Road LOMR (\$25,000)
- Sidewalks and trails (\$140,000)

Ms. Price provided details regarding McKinley School construction of a lane to improve traffic circulation, stating currently there is a lot of traffic congestion when parents are taking and picking up children on Flood Avenue and traffic is blocked on Flood Avenue and Pickard Avenue. She said the Police Department suggested our Public Works Department look at the option of using and paving an existing gravel drive along the City's right of way on the west side of the school. This would allow the cars to get off the streets and assist with the traffic congestion. Mayor Rosenthal said she did not know if simply paving the existing gravel drive would be a solution and asked if discussions have been had with the school regarding their efforts in helping educate and change behavior patterns for dropping off and/or picking up children. Councilmember Jungman said the school has a structured dismissal, i.e., the children stay inside the gym until dismissed to their parents when they arrive at school; and he felt the parents will follow the school's directions, if they are told to utilize the paved drive on the west side of the school. Mayor Rosenthal felt the road could be utilized now without paving it and Councilmember Kovach agreed. He suggested trying the new picking up/dropping off process with the existing drive for a year. Council agreed and requested the \$50,000 paving fee be moved to the sidewalk program.

FYE 2014 Sidewalks:

The proposed annual 2014 sidewalks program is \$220,000. There were six (6) new requests in 2014 totaling \$807,000 added to 21 previous sidewalk requests for a grand total of \$2,093,000 and 27 unfunded sidewalk projects at \$2,900,000. Staff recommends ranking the 27 projects and to determine which projects will utilize the proposed additional \$140,000 in FYE 2014 Budget as well as consider alternative funding plan for public sidewalk projects.

City Council Study Session Minutes

May 7, 2013

Page 3

Item 1 continued:

Mr. Scott Sturtz, City Engineer, highlighted the FYE 2014 sidewalk projects as follows:

- | | |
|---|------------------|
| • Sidewalk Program for schools and arterials: | \$ 70,000 |
| * Berry Road – Rebecca Lane to Vine Street (Monroe Elementary) | |
| • Sidewalk Accessibility Project: | \$ 35,000 |
| * Morren Drive – 24 th Avenue S.W./Brooks Street/Lindsey Street/Biloxi Drive | |
| • Citywide Sidewalk Project: | \$ 65,000 |
| * Citywide 50/50 repair | |
| • Downtown Area Sidewalk Project: | \$ 50,000 |
| • ODOT Funded Projects: | <u>\$400,000</u> |
| * Boyd Street – Classen Boulevard to Barkley Avenue | |
| * McGee Drive – Highway 9 to Cherrystone Street | |

TOTAL: \$620,000

Councilmember Kovach asked whether the enhancement grant money received by ODOT will be used for the Downtown Sidewalk Project or cover different areas and Mr. Shawn O’Leary, Director of Public Works, said the funds are allocated for other streets located inside the downtown area, not Main Street. Mr. O’Leary said ODOT dismissed the enhancement program, but directed the program to Association of Central Oklahoma Governments (ACOG) this year for re-initiation. He felt the funding will go with the work now poised in order to re-apply for funding that will go towards the Downtown Sidewalk Project this fiscal year.

Councilmember Gallagher requested Staff provide details on the Citywide 50/50 Sidewalk Program and Mr. Sturtz said this program addresses requests by citizens and/or businesses when the sidewalk is damaged in front of their home and/or business; therefore, the projects are not necessarily identified ahead of time. He said the City will utilize some of this funding for an upcoming sidewalk enhancement project(s) on Chautauqua Avenue. Mr. O’Leary said the process usually begins with Staff addressing calls and/or concerns reporting a sidewalk that is hazardous and/or needing repair. He said once a sidewalk is identified, Staff will send a notice to the adjacent property owners requesting the sidewalk to be repaired within 30 days. This program allows the City to pay 50% of the repair cost, which financially assists the property owners. Councilmember Gallagher said a sidewalk located on Sunrise Street is mostly grass and has a lot of chips and asked whether Staff was addressing this area. Mr. O’Leary said Staff currently does not go out looking for those particular sidewalks; rather, Staff responds to citizen calls and/or concerns.

Mr. Sturtz provided a map depicting the pending sidewalk location requests throughout the City stating 48th Avenue N.W. was recently completed and 24th Avenue N.W. is underway. Staff proposes the following rating/ranking factors for prioritization of sidewalk projects and said each factor has a weight that is compiled to a “total weight” to include:

- Distance to the attractor destination?
- The presence of multiple attractors?
- What is the condition of the site from new to hazardous?
- Whether there is another American Disabilities Act (ADA) compliant route available to the attractor?
- What type of road adjacent to the route from local to arterial?
- What type of street crossings occur from local to arterial?
- Whether there is a Cleveland Area Rapid Transit (CART) bus stop location involved?
- Whether the location is a possible development infill?
- Whether this route is specifically an ADA improvement request?
- Has there been an accident at this location?
- Citizen input to the request?
- The age of the request?

City Council Study Session Minutes

May 7, 2013

Page 4

Item 1, continued:

Mayor Rosenthal asked if it would be the developer's responsibility for any possible development infill and Mr. Sturtz said it is a factor and while infill is certainly encouraged, the City wants sidewalks constructed that will connect to other sidewalks.

Mr. Sturtz highlighted the draft rating/ranking list prioritizing 26 sidewalk projects in the City. He said two projects; McGee Street and Boyd Street are listed but now have funding through ODOT. The top ranking sidewalk project is the south side of Robinson Street, from 24th Avenue West to 12th Avenue East, and is a \$200,000 project. Mr. Jack Burdett, Engineering Assistant, said Staff has identified 45 locations along with stretch of Robinson Street and 11 of the locations are on City property adjacent Westwood Golf Course. Mr. O'Leary said some of these locations would be 100% City property, but some of the locations would be adjacent to private property; therefore the Citywide Sidewalk Project would factor in the 50/50 cost aspect. Mr. Sturtz said if there is potential for having \$140,000 for future sidewalk projects, Council could choose from many options, e.g., do only a portion of Robinson Street rather than all at once; do multiply smaller/less costly projects; or do the project at 24th Avenue N.E. identified by the Greenbelt Commission.

Mr. Sturtz said Staff would like to take the draft rating/ranking list to the Community Planning and Transportation Committee (CPTC) for further discussion and get recommendations for moving forward that would best suit the community. Mayor Rosenthal said it would be helpful for the Greenbelt Commission and Park Board to review the draft rating/ranking list and process so that they can provide additional input to Council. Councilmember Castleberry requested Staff add a "Ward Number" column to the list.

Councilmember Kovach asked whether Staff has evaluated schools that have inadequate crossings in paths to elementary schools and Mr. Sturtz said the Safe Routes to Schools Program and the Sidewalk Program for School and Arterials help identify those particular areas.

Room Tax Fund New Project

- Replace Whittier and Irving gym floors in the summer 2013 (\$170,000)

Other projects in the Capital Improvements Plan (CIP) include neighborhood plan improvements, sidewalk and accessibility projects, and maintenance of existing facilities, e.g., Police Communications, Council Chambers audio/visual upgrades, HVAC replacements, roof replacements, and Building A remodel.

Ms. Price provided an overview of Federal Transportation Funds received from FYE 2007 through FYE 2013, as well as those anticipated for Norman for Federal Fiscal Years 2014 through 2017. Staff provided this information to show how critical project readiness is in the score of a project. Mr. O'Leary said a significant improvement/increase of Federal funds is primarily driven by the voter approval of General Obligation Bond programs and the City is able to leverage nearly \$10 million dollars per year for 2015, 2016, and 2017 for projects on Lindsey Street, 24th Avenue S.E. and 36th Avenue S.E. However, the City was not quite ready to "catch up" in 2014 and get all the readiness points in place to compete for federal funding. Mr. O'Leary said in the upcoming weeks and months, Staff will be bringing forward land acquisitions, easements, rights-of-way acquisition, and utility relocation contracts, which will help the City gain readiness points to obtain additionally federal funding for FYE 2014.

Staff said there are many upcoming projects that will have a large impact in the City and as a result may generate a great deal of questions to include:

- Cedar Lane Road project (1st Bond Project)
- I-35 Corridor projects
- West Lindsey Street project
- Comprehensive Transportation Plan (CTP)
- State Highway 9 widening from 24th Avenue S.E. to 84th Avenue S.E.
- Pending Storm Water Master Plan projects
- Fleet Management Study
- University North Park Frontage Road and Norman Economic Development Coalition (NEDC) Development
- Legacy Park

Item 1, continued:

Councilmember Gallagher asked where/what the pending Storm Water Master Plan (SWMP) projects are and Mr. O'Leary said those areas recently discussed and identified in the SWMP; however, funding is not available at this time and possibly a either a utility fee and/or GO Bond program would bring the project(s) to fruition. Mayor Rosenthal said the projects identified in the SWMP have been prioritized in terms of their importance within drainage areas and are ready to go when a funding source is available.

Mayor Rosenthal asked why the City is not moving forward with the reforestation of Rotary Park and Mr. Jud Foster, Director of Parks and Recreation, said all the landscaping projects are on hold due to the drought. He said Staff does not want to plant or encourage planting until the City's water source, to include the lake levels, is restored to normal and water conservation is over. Mayor Rosenthal asked why the reforestation of Andrews Park is moving forward and Mr. Foster said that particular project was submitted before the water conservation went into effect; however, it is on hold as well. Hopes are the water conservation is lifted by the Fall 2013 and, if so, the current and proposed projects that include trees and/or landscaping will proceed. Mr. Foster said the Rotary Club has given a \$5,000, gift, which will be used for reforestation efforts at Rotary Park.

Councilmember Gallagher said constituents have asked about specific road projects where it appears workers are not working full time. He asked if that is because there are too many projects versus worker ratio and/or the contractors hired by the City over-committed. Mr. O'Leary said the contracts are written on a "working day" basis, i.e., the contractor has 150 days to build the project and the City does not tell them which day(s) and/or the hour(s) in which they must work, but simply that the project must be done within the 150 days. He said Staff has learned throughout some of the different projects that it does appear some of the contractor(s) are over-committed, but penalty fee(s) can be imposed if the contractor does not finish the project according to the contract. Councilmember Kovach asked whether contractors "past performances" are evaluated regarding future bid awards and Mr. O'Leary felt the City, as well as ODOT, will be seeing somewhat of a "separation" between the better and worse contractors over the next few years based on past performances. He said it is difficult to deny a low bidder on a contract and the City (and ODOT) would have to have solid documentation trail to reject a low bidding contractor. He said it is important that the City and ODOT make sure it is very clear what a particular contractor did or did not do.

Councilmember Griffith said his biggest concern was not necessarily the delay (12th Avenue N.E. and Robinson Street Project and Porter Avenue Project), but rather the quality of work and Mr. O'Leary said the City requires a maintenance bond that will cover the warranty of the work. He said the City would get through this process and ultimately the work at the above two locations will be quality projects. Councilmember Griffith asked whether the drainage issue on Porter Avenue was remedied and Mr. O'Leary said the drainage issue, as well as a contamination issue, was resolved.

Councilmember Kovach asked about the status of the quiet zones project and Ms. Price said the project cost is \$1.2 million; therefore, due to budgetary reasons it had been pushed back. He said he understood there were other projects and/or priorities, but felt it was important and needed to have more priority in order to move it forward. Mayor Rosenthal agreed and wondered whether there was a way to piece meal the project. She suggested bringing back information to the CPTC sometime later this year and Mr. O'Leary said Staff will start breaking down and strategizing the project, possible into zones such as Downtown, Central Norman, and Campus area with cost breakdowns for each. Councilmember Kovach asked whether road projects along the railroad corridors could be implemented as quiet zones and Mr. Sturtz said yes, stating Cedar Lane Road Project is being designed as a quiet zone.

Ms. Joy Hampton, The Norman Transcript, asked whether the room tax funding used to replace the gym floors at Whittier and Irving Recreational Centers will contribute to tourism and Ms. Price said the Room Tax Fund is designated to Parks and Recreation as well as arts and tourism in Norman. Mr. Foster said the funding is not required to be tourism related.

Ms. Hampton asked for clarification regarding the amount of the proposed Annual FYE 2014 Sidewalk Programs and Mr. Sturtz said the amount is \$220,000.

City Council Study Session Minutes

May 7, 2013

Page 6

Item 1, continued:

Ms. Hampton asked whether the McKinley project is being taken out and Ms. Price said yes, if there is Council consensus at tonight's Council meeting.

Ms. Hampton said it was her understanding that the Oklahoma Water Resource Board (OWRB) identified Sutton Wilderness as critical need for maintenance and asked why it is being postponed. Mr. Sturtz said currently the City is doing a Request for Proposal (RFP) for consultants to design the work at Sutton Wilderness and the consultant hired will need approximately one year to complete the design. Once the design is complete, the Sutton Wilderness Project will be ready to go out to bid. Ms. Hampton asked if the OWRB is paying for the design work and Mr. O'Leary said OWRB regulates Sutton Wilderness; however, it is the City's financial responsibility because the City leases the property from the state.

Councilmember Kovach asked if the \$50,000 for the McKinley Project would be re-programmed and Mayor Rosenthal suggested the funds go back into the Sidewalk Program and actively work with McKinley school.

Councilmember Castleberry asked why the City needs to retain such a healthy Fund Balance and Ms. Price said at times there are projects that go over budget, as well as emergency projects that come up during the year. She said another reason is because the ODOT audits can take years to be completed and ODOT may come back with a final invoice showing the City owes additional funds (can be as much as \$500,000); therefore, the City will keep a budget of \$100,000 annually to try to deal with the audits incrementally. Ms. Price said the Capital Outlay is a separate fund from the Capital Budget Projects that sets aside money for vehicles, computers, etc.,

Mayor Rosenthal said the City Manager has forwarded a budget memorandum to Council with follow-up answers for recent questions regarding the budget and encouraged Council to attend the Finance Committee meeting scheduled on May 15, 2013, so that those issues can be worked through and addressed. She said the Budget Study Session is scheduled for May 21, 2013 and a Public Hearing on the budget is scheduled for May 28, 2013.

Items submitted for the record

1. Powerpoint presentation entitled "FYE 2014 Capital Improvement Projects Budget and FYE 2015-2018 Capital Improvements Plan (CIP)"

The meeting adjourned at 7:03 p.m.

ATTEST:

City Clerk

Mayor