

NORMAN ELECTION COMMISSION

April 1, 2013

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 1st day of April, 2013, at 2:05 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

Item 1. Roll Call. City Clerk Hall called the roll.

MEMBERS PRESENT:

Robin Allen
Nina Flannery
Richard Hilbert
Chairman Hardiman

MEMBERS ABSENT:

Elizabeth Windes

STAFF PRESENT:

Brenda Hall, City Clerk

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Item 2. Approval of minutes from the January 7, 2013, meeting. Member Hilbert moved that the minutes, as corrected, from the January 7, 2013, meeting be approved, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. Norman Election Commission Minutes from January 7, 2013

and the question being upon approving the minutes, as corrected, from the January 7, 2013, meeting, a vote was taken with the following result:

YEAS:

Members Allen, Flannery, Hilbert, and
Chairman Hardiman

NAYES:

None

Chairman Hardiman declared the motion carried and the minutes, as corrected, from the January 7, 2013, meeting were approved.

Minutes will be corrected to change the name Member Flannery moved adjournment to Member Windes.

Approval of minutes from the March 25, 2013, meeting. Member Hilbert moved that the minutes from the March 25, 2013, meeting be approved, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. Norman Election Commission Minutes from March 25, 2013

Item 2, continued:

and the question being upon approving the minutes from the March 25, 2013, candidate orientation session, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the minutes from the March 25, 2013, meeting were approved.

Minutes will be corrected to clarify questions regarding expenditures on the Friends of David Spaulding report be forwarded to the Legal Department for response.

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Item 3. Consideration and acceptance of Candidates' Campaign Contributions and Expenditures Reports.

Friends of Cindy Rosenthal

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of Cindy Rosenthal be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of Cindy Rosenthal, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of Cindy Rosenthal was accepted.

City Clerk Hall will contact Ms. Rosenthal regarding the occupation for Debby Burns omitted from the report.

Item 3, continued:

Tom Sherman for Mayor 2013

Member Flannery moved that the City campaign contribution and expenditure report form for Tom Sherman for Mayor 2013 be accepted, which motion was duly seconded by Member Hilbert;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013 accepted.

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David Kempf for Mayor

Member Hilbert moved that the City campaign contribution and expenditure report for David Kempf for Mayor be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for David Kempf for Mayor, vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for David Kempf for Mayor.

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Roger Gallagher for Ward 1

Member Hilbert moved that the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

Item 3, continued:

Roger Gallagher for Ward 1, continued:

and the question being upon accepting the City campaign contribution and expenditure report for Roger Gallagher for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 was accepted.

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Greg Heiple for Ward 1

Member Hilbert moved that the City campaign contribution and expenditure report for Greg Heiple for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Greg Heiple for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Greg Heiple for Ward 1 was accepted.

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Castleberry for Ward 3

Member Hilbert moved that the City campaign contribution and expenditure report for Castleberry for Ward 3 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Castleberry for Ward 3, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Castleberry for Ward 3 were accepted.

Item 3, continued:

Benjamin Carter

Member Hilbert moved that the City campaign contribution and expenditure report for Benjamin Carter be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Benjamin Carter, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Benjamin Carter was accepted.

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Friends of David Spaulding

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of David Spaulding be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of David Spaulding, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of David Spaulding was accepted.

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Item 3, continued:

Lynne Miller for Norman City Council Ward 5

Member Hilbert moved that the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 was accepted.

City Clerk Hall will contact Ms. Miller regarding clarification of the for David Collins.

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Linda Lockett for Ward 7

Member Hilbert moved that the City campaign contribution and expenditure report for Linda Lockett for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Linda Lockett for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Linda Lockett for Ward 7 was accepted.

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Item 3, continued:

Holman for Ward 7

Member Hilbert moved that the City campaign contribution and expenditure report for Holman for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Holman for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Holman for Ward 7 was accepted.

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Friends of Jackie Farley

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of Jackie Farley be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of Jackie Farley, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of Jackie Farley was accepted.

City Clerk Hall will contact Ms. Farley to correct expenditure noted for Friends of Jackie Farley to Friends of Cindy Rosenthal.

Item 3, continued:

Friends of Jackie Farley

Member Hilbert moved that the State campaign contribution and expenditure report for Friends of Jackie Farley be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Friends of Jackie Farley, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Friends of Jackie Farley was accepted.

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Red Earth Group – Sierra Club

Member Hilbert moved that the City campaign contribution and expenditure report for Red Earth Group be postponed until the next meeting to correct expenditures, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon postponing the City campaign contribution and expenditure report for Red Earth Group until the next meeting to correct expenditures, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Red Earth Group was postponed until the next meeting to correct expenditures.

Item 3, continued:

Red Earth Group – Sierra Club

Member Hilbert moved that the State campaign contribution and expenditure report for Red Earth Group be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Red Earth Group, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Red Earth Group was accepted.

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Better Norman Advocates, Inc.

Member Hilbert moved that the City campaign contribution and expenditure report for Better Norman Advocates, Inc., be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Better Norman Advocates, Inc., a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Better Norman Advocates, Inc., was accepted.

State reports still need to be filed for Better Norman Advocates, Inc.

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Item 4. Miscellaneous Discussion.

City Clerk Hall the final reports are due on May 23, 2013, unless there is a run-off in the Mayoral race, which would require reports for the run-off to be filed on May 3, 2013. She said the Municipal Election Report is due to Council within 30 days of the Municipal Election which would require the report be included on the April 23, 2013, Council agenda to meet that timeframe. She said he report would need to be completed no later than April 16, 2013, for inclusion on the April 23rd Council agenda.

Ms. Mary Francis, 850-C Cardinal Creek Condos, registered official complaints against Better Norman Advocates, Inc., Tom Kovach, and Norman Chamber of Commerce related to their activity in the Council races.

Better Norman Advocates, Inc.

She stated one of the mail pieces for Better Norman Advocates did not have the "Paid for by" tag line, which is a violation of State statute. Ms. Francis cited Sec. 7.5-27(c) of the City Code of Ordinances and felt it was the duty of the Norman Election Commission (NEC) to determine if this is a willful violation of State Election laws and if so, forward a recommendation of such to the District Attorney's Office. Ms. Francis also felt the encumbrance of expenditures related to the mailers would have been known prior to March 22, 2013, when the first Campaign Contribution and Expenditure Reports were due and the Committee should have been subject to filing a report on that day. She said Better Norman Advocates, Inc., registered with the Secretary of State on March 20th and asked the NEC to investigate when the first mailer was distributed to determine whether or not encumbrances were made prior to March 22nd.

Norman Chamber of Commerce

Ms. Francis said mailers were distributed by the Norman Chamber of Commerce that appear to be advocating against the seated incumbents. She said the City ordinance states that anyone working in support or opposition of a candidate is subject to filing Campaign Contribution and Expenditure Reports and asked that the Commission investigate the matter.

Tom Kovach

Ms. Francis asked the NEC to determine whether Mr. Kovach would be subject to reporting requirements as advocating for Tom Sherman's campaign committee since he received compensation from Mr. Sherman's committee for his services.

Commission members asked City Clerk Hall to forward the questions to the Legal Department and their response be reviewed and discussed by the Commission at their next meeting on April 8, 2013.

Ms. Joy Hampton, The Norman Transcript, said she had received inquiries that Councilmember Kovach may have violated the Charter in respect to his work with the Tom Sherman for Mayor 2013 Candidate Committee and asked whether the Norman Election Commission had reviewed that. City Clerk Hall said potential violations of the Charter do not fall under the purview of the Norman Election Commission. Proposed Charter violations are filed and reviewed through the District Attorney's Office; however, her comments would be forwarded to the Legal Department.

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Item 5. Adjournment.

Chairman Hardiman declared the meeting adjourned at 3:23 p.m.

Norman Election Commission

April 1, 2013

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