

CITY COUNCIL SPECIAL SESSION MINUTES

July 7, 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 7th day of July, 2020, at 6:00 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

ABSENT: None

The Pledge of Allegiance was led by Mayor Clark.

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Item 3, being:

CONSIDERATION OF ORDINANCE O-1920-68 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE COMPENSATION OF THE CITY MANAGER AS PROVIDED BY ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE EFFECTIVE DATE FOR COMPENSATION TO BEGIN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-1920-68 having been Introduced and adopted upon First Reading by title in City Council's Special Session of June 30, 2020, Councilmember Petrone moved that Ordinance O-1920-68 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. Text File O-1920-68 dated June 26, 2020, by Kathryn Walker, City Attorney
- 2. Ordinance O-1920-68

Participants in discussion

- 1. Ms. Kathryn O'Brian, protestant

and the question being upon adopting Ordinance O-1920-68 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Ordinance O-1920-68 was adopted upon Second Reading section by section.

Thereupon, Councilmember Wilson moved that Ordinance O-1920-68 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Bierman; and the question being upon adopting Ordinance O-1920-68 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Ordinance O-1920-68 was adopted upon Final Reading as a whole.

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Item 4, being:

CONSIDERATION OF ORDINANCE O-2021-3 UPON FIRST, SECOND AND FINAL READING: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA ADDING ARTICLE XI, COVID-19 PANDEMIC TO CHAPTER 10 OF THE CODE OF THE CITY OF NORMAN, OKLAHOMA AND ADDING SECTIONS TO SET FORTH FINDINGS OF FACT, DEFINITIONS, MANDATING THE USE OF FACE COVERINGS WITH SOME EXCEPTIONS, IMPOSING CAPACITY LIMITATIONS THROUGH SOCIAL DISTANCING IN BARS AND RESTAURANTS, SETTING FORTH A SUNSET PROVISION, CREATING PENALTIES FOR NON-COMPLIANCE; DECLARING AN EMERGENCY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Wilson moved that Ordinance O-2021-3 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. Text File O-2021-3 dated July 2, 2020, by Kathryn Walker, City Attorney
2. Ordinance O-2021-3

and the question being upon the Introduction and adoption of Ordinance O-2021-3 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scott, Wilson, Mayor Clark

NAYES: Councilmember Scanlon

The Mayor declared the motion carried and Ordinance O-2021-3 was Introduced, read, and adopted upon First Reading by title.

Thereupon, Councilmember Scott moved that Ordinance O-2021-3 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Wilson;

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Dr. Kate Cook, Pediatric Hospitalist, Norman Regional Health Systems
3. Dr. Gary Raskob, Professor, Epidemiology, University of Oklahoma Health Sciences Center
4. Mr. Kevin Foster, Police Chief
5. Ms. Brenda Hall, City Clerk
6. Citizen of Ward 6, protestant
7. Ms. Kathryn O'Brian, protestant
8. Mr. Art Shipple, Ward One
9. Mr. Jerry Drury, Ward Six
10. Mr. Ricky Stapleton, local businessman, made comments
11. Ms. Taylor Rogers, Ward 1, proponent
12. Mr. Rick Stint, Ward 6
13. Mr. Joe Shepherd, protestant
14. Mr. Shawn McKenna made comments
15. Mr. C.J. Vaxenville, Ward 2, protestant
16. Mr. Gary Barksdale, Ward 8, protestant
17. Jared, Ward 2, protestant
18. Ms. Misty Penuelas, protestant
19. Mr. Jack Dawson, Ward 8, protestant
20. Ms. Bonnie Campo, asked questions
21. Ms. Madison Molitor, proponent
22. Ms. Brandy Soleman, proponent

Item 4, continued:

Thereupon, Councilmember Petrone moved that Ordinance 2021-3 be amended to read as follows:

\* \* \*

§ 3. That, Section 11-1102 be added to Chapter 10 of the Code of the City of Norman, Oklahoma:

**Sec. 11-1102. – Definitions.**

\* \* \*

(d) “Public Setting” means any public place where persons congregate which is not a place of public accommodation including without limitation, offices, workplaces, houses of worship and ancillary facilities, child care facilities, hospital and health facilities, gymnasiums and physical fitness facilities, adult and youth sports facilities, places and situations where in-person contact is made at the door or window in residential or commercial settings, communal outdoor spaces such as sidewalks, trails, and parks, food trucks, and other outdoor retail entities.

\* \* \*

which motion was duly seconded by Councilmember Bierman; and the question being upon amending Ordinance O-2021-3 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Ordinance O-2021-3 was amended as stated above.

Thereupon, Councilmember Bierman moved that Ordinance 2021-3, as amended, be further amended to read as follows:

\* \* \*

§ 4. That, Section 11-1103 be added to Chapter 10 of the Code of the City of Norman, Oklahoma:

**Sec. 11-1103. – Use of Face Coverings.**

\* \* \*

(a) Exceptions. The following persons, locations and activities are exempt from this requirement.

\* \* \*

Persons exempted under subsection (i), (ii) and (v) of this category ~~shall~~should consider the use of a face shield, provided the shield wraps around the sides of the wearer’s face and extends to below the chin. Additionally, options such as carryout, ~~and~~ curbside pickup, and online ordering and delivery services, when available, ~~should~~ shall be considered to avoid coming into close contact with others outside of their household.

Item 4, continued:

which motion was duly seconded by Councilmember Wilson;

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney

and the question being upon further amending Ordinance O-2021-3, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-2021-3, as amended, was further amended as stated above.

Thereupon, Councilmember Bierman moved that Ordinance 2021-3, as amended, be further amended to read as follows:

\* \* \*

§ 7. That, Section 11-1106 be added to Chapter 10 of the Code of the City of Norman, Oklahoma:

**Sec. 11-1106. – Penalties.**

\* \* \*

- (a) Places of Public Accommodation: Places of Public Accommodations that willfully fail to post signage or comply with capacity limitations as required herein may be subject to a fine of \$50 - \$500 or civil action as appropriate. Every day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

\* \* \*

which motion was duly seconded by Councilmember Petrone;

Participants in discussion

- 1. Ms. Kathryn Walker, City Attorney
- 2. Ms. Brenda Hall, City Clerk

and the question being upon further amending Ordinance O-2021-3, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scanlon, Scott, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-2021-3, as amended, was further amended as stated above.

Item 4, continued:

Thereupon, Councilmember Holman moved that Ordinance 2021-3, as amended, be further amended to read as follows:

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§ 5. That, Section 11-1104 be added to Chapter 10 of the Code of the City of Norman, Oklahoma:

**Sec. 11-1104. – Capacity Limitations in Restaurants and Bars.**

Social distancing and/or face coverings may be impossible in Places of Public Accommodation where eating and drinking is occurring. The following measures shall be imposed to reduce the risk posed by gatherings in these settings:

\* \* \*

- (b) Bars and Bar Areas: Bars and the bar areas within restaurants should limit the capacity for patrons to the number of seats available, which shall be arranged to promote social distancing between groups of patrons. Standing room only areas, not including the entryway, shall be closed to patrons. ~~Bars and the bar areas of restaurants shall close at 10pm on weekdays and 11pm on weekends.~~

which motion was duly seconded by Councilmember Petrone;

and the question being upon further amending Ordinance O-2021-3, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone
NAYES:	Councilmember Scanlon, Scott, Wilson, Mayor Clark

The Mayor declared the motion carried and Ordinance O-2021-3, as amended, was further amended as stated above.

and the question being upon adopting Ordinance O-2021-3, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scott, Wilson, Mayor Clark
NAYES:	Councilmember Scanlon

The Mayor declared the motion carried and Ordinance O-2021-3, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Scott moved that Emergency Section 8 be approved, which motion was duly seconded by Councilmember Petrone; and the question being upon approving Emergency Section 8, the vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scott, Wilson, Mayor Clark
NAYES:	Councilmember Scanlon

The Mayor declared the motion carried and Emergency Section 8 was approved.

Item 4, continued:

Thereupon, Councilmember Scott moved that Ordinance O-2021-3, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Bierman; and the question being upon adopting Ordinance O-2021-3, as amended, upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Bierman, Carter, Hall, Holman, Petrone, Scott, Wilson, Mayor Clark

NAYES: Councilmember Scanlon

The Mayor declared the motion carried and Ordinance O-2021-3, as amended, was adopted upon Final Reading as a whole.

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Item 5, being:

ADMINISTERING THE OATHS OF OFFICE TO AND SEATING OF COUNCILMEMBER-ELECT DAVID PERRY, WARD 2; COUNCILMEMBER-ELECT LEE HALL, WARD 4; COUNCILMEMBER-ELECT ELIZABETH FOREMAN, WARD 6; AND COUNCILMEMBER-ELECT MATTHEW PEACOCK, WARD 8.

Presiding Judge Drew Nichols administered Oaths of Office to the elected members of the City Council.

Items submitted for the record

- 1. Text File AP-1920-27 dated June 29, 2020, by Brenda Hall, City Clerk

Thereupon, Councilmembers Perry, Hall, Foreman, and Peacock were formally seated.

\* \* \* \* \*

Item 6, being:

ELECTION OF A MAYOR PRO TEM.

Councilmember Bierman nominated Councilmember Holman to serve as Mayor Pro Tem, which motion was duly seconded by Councilmember Petrone;

Items submitted for the record

- 1. Text File AP-1920-28 dated June 29, 2020, by Brenda Hall, City Clerk

and there being no other nominations, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Councilmember Holman was elected as Mayor Pro Tem.

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Item 7, being:

ELECTION OF A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE OKLAHOMA MUNICIPAL LEAGUE BOARD OF DIRECTORS.

Councilmember Bierman nominated Mayor Clark to serve as the representative and Councilmember Hall to serve as alternate representative to the Oklahoma Municipal League Board of Directors, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File AP-1920-29 dated June 29, 2020, by Brenda Hall, City Clerk

and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Mayor Clark was elected as the representative and Councilmember Hall was elected as the alternate representative to the Oklahoma Municipal League Board of Directors.

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Item 8, being:

ELECTION OF A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS BOARD OF DIRECTORS.

Councilmember Peacock nominated Mayor Clark to serve as the representative and Councilmember Holman to serve as alternate representative to the Association of Central Oklahoma Governments Board of Directors, which motion was duly seconded by Councilmember Petrone;

Items submitted for the record

- 1. Text File AP-1910-30 dated June 29, 2020, by Brenda Hall, City Clerk

and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Mayor Clark was elected as the representative and Councilmember Holman was elected as the alternate representative to the Association of Central Oklahoma Governments Board of Directors.

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Item 9, being:

ELECTION OF A CITY COUNCILMEMBER TO SERVE ON THE BOARD OF TRUSTEES FOR THE CITY OF NORMAN RETIREMENT SYSTEM.

Councilmember Foreman nominated Councilmember Wilson to serve as the representative on the Board of Trustees for the City of Norman Retirement System, which motion was duly seconded by Councilmember Holman;

Item 9, continued:

Items submitted for the record

1. Text File AP-1910-31 dated June 29, 2020, by Brenda Hall, City Clerk

and there being no other nominations, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Councilmember Wilson was elected as the representative to serve on the Board of Trustees for the City of Norman Retirement System.

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Item 10, being:

RESOLUTION R-2021-8: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING AND EXTENDING APPRECIATION TO JOE CARTER FOR SERVING AS WARD FOUR COUNCILMEMBER IN NORMAN, OKLAHOMA.

Councilmember Petrone moved that Resolution R-2021-8 be adopted, which motion was duly seconded by Councilmember Holman:

Items submitted for the record

1. Text File R-2021-8 dated July 2, 2020, by Brenda Hall, City Clerk
2. Resolution R-2021-8

Participants in discussion

1. Mr. Joe Carter accepted the resolution and thanked the Council

and the question being upon adopting Resolution R-2021-8, as vote was taken with the following result:

YEAS:	Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Resolution R-2021-8 was adopted.

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Item 11, being:

RESOLUTION R-2021-15: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXTENDING APPRECIATION TO BILL SCANLON FOR SERVING AS WARD SIX COUNCILMEMBER IN NORMAN, OKLAHOMA.

Councilmember Wilson moved that Resolution R-2021-15 be adopted, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

1. Text File R-2021-15 dated July 2, 2020, by Brenda Hall, City Clerk
2. Resolution R-2021-15

Participants in discussion

1. Mr. Bill Scanlon accepted the resolution and thanked the Council

Item 11, continued:

and the question being upon adopting Resolution R-2021-15, as vote was taken with the following result:

YEAS:	Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-2021-15 was adopted.

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Item 12, being:

RESOLUTION R-2021-9: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXTENDING APPRECIATION TO ALEXANDRA SCOTT FOR SERVING AS WARD EIGHT COUNCILMEMBER IN NORMAN, OKLAHOMA.

Councilmember Petrone moved that Resolution R-2021-9 be adopted, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File R-2021-9 dated July 2, 2020, by Brenda Hall, City Clerk
2. Resolution R-2021-9

Participants in discussion

1. Ms. Alexandra Scott accepted the resolution and thanked the Council

and the question being upon adopting Resolution R-2021-9, as vote was taken with the following result:

YEAS:	Councilmembers Bierman, Foreman, Hall, Holman, Peacock, Perry, Petrone, Wilson, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-2021-9 was adopted.

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ADJOURNMENT

The Mayor adjourned the meeting at 11:28 p.m.

ATTEST:

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City Clerk

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Mayor