

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

October 29, 2020
(rescheduled from October 27, 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 29th 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 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Bierman, Carter,
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:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF APRIL 21, 2020
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE
MINUTES OF JULY 30, 2020
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE
MINUTES OF SEPTEMBER 24, 2020
CITY COUNCIL MINUTES OF OCTOBER 13, 2020
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 13, 2020
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 13, 2020
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 13, 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 Petrone;

Items submitted for the record

1. City Council Staff Report GID-2021-29 dated October 21, 2020, by Brenda Hall, City Clerk
2. City Council Study Session minutes of April 21, 2020
3. City Council Community Planning and Transportation Committee minutes of July 30, 2020
4. City Council Community Planning and Transportation Committee minutes of September 24, 2020
5. City Council minutes of October 13, 2020
6. Norman Utilities Authority minutes of October 13, 2020
7. Norman Municipal Authority minutes of October 13, 2020
8. Norman Tax Increment Finance Authority minutes of October 13, 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 4, being:

PROCLAMATION P-2021-6: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING WEDNESDAY, OCTOBER 28, 2020, AS IMMIGRANTS DAY IN THE CITY OF NORMAN.

Councilmember Foreman moved that receipt of Proclamation P-2021-6 proclaiming Wednesday, October 28, 2020, as Immigrants 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-2021-6 dated September 29, 2020, by Rick Knighton, Assistant City Attorney
- 2. Proclamation P-2021-6

and the question being upon acknowledging receipt of Proclamation P-2021-6 proclaiming Wednesday, October 28, 2020, as Immigrants 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
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation P-2021-6 proclaiming Wednesday, October 28, 2020, as Immigrants Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 5, being:

CONSENT DOCKET

Councilmember Foreman moved that Item 6 through Item 24 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 6 through Item 24, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Item 6 through Item 24 were placed on the consent docket by unanimous vote.

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Item 6, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF AUGUST 31, 2020, AND DIRECTING THE FILING THEREOF.

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

Item 6, continued:

Items submitted for the record

- 1. City Council Staff Report RPT-2021-12 dated September 18, 2020, by Anthony Francisco, Finance Director
- 2. Finance Director's Investment Report of August 31, 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, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES: None

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

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2020, AND DIRECTING THE FILING THEREOF.

Councilmember Bierman 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-2021-20 dated October 19, 2020, by Anthony Francisco, Finance Director
- 2. Finance Director's Investment Report of 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, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES: None

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

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2020, AND DIRECTING THE FILING THEREOF.

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

Item 8, continued:

Items submitted for the record

- 1. City Council Staff Report RPT-2021-21 dated October 27, 2020, by Stacey Parker, Executive Assistant
- 2. Monthly Departmental Reports for the month of September, 2020

and the question being upon acknowledging receipt of the reports 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 the reports acknowledged; and the filing thereof was directed.

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Item 9, being:

CONSIDERATION OF AWARDING BID 2021-10, APPROVAL OF CONTRACT K-2021-9 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RDNJ, L.L.C., D/B/A A-TECH PAVING, IN THE AMOUNT OF \$915,412.41 FOR THE INTERSTATE DRIVE RECONSTRUCTION PROJECT LOCATED ON EAST INTERSTATE DRIVE FROM MAIN STREET TO ROBINSON STREET; PERFORMANCE BOND B-2021-13, STATUTORY BOND B-2021-14, AND MAINTENANCE BOND MB-2021-7, AND RESOLUTION R-2021-6 GRANTING TAX EXEMPT STATUS.

Councilmember Bierman moved that all bids meeting specifications be accepted; the bid in the amount of \$915,412.41 be awarded to RDNJ, L.L.C., d/b/a A-Tech Paving, as the lowest and best bidder meeting specifications; Contract K-2021-9 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-2021-6 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report K-2021-9 dated October 12, 2020, by Jason Spencer, Capital Projects Engineer
- 2. Tabulation of Quotes dated October 8, 2020, for the Interstate Drive Reconstruction Project
- 3. Letter of Recommendation dated October 12, 2020, from Brandon Huxford, P.E., Freese and Nichols, Inc., to Jason Spencer, Capital Projects Engineer
- 4. Contract K-2021-9
- 5. Performance Bond B-2021-13
- 6. Statutory Bond B-2021-14
- 7. Maintenance Bond MB-2021-7
- 8. Resolution R-2021-6
- 9. Project Location Map

Item 9, continued:

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, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$915,412.41 was awarded to RDNJ, L.L.C., d/b/a A-Tech Paving, as the lowest and best bidder meeting specifications; Contract K-2021-9 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-2021-6 was adopted.

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Item 10, being:

CONSIDERATION OF AWARDING BID 2021-28, APPROVING CONTRACT K-2021-53 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF \$2,600,996.65; FOR THE PORTER AND ACRES INTERSECTION 2019 BOND PROJECT WITH PERFORMANCE BOND B-2021-46, STATUTORY BOND B-2021-47, AND MAINTENANCE BOND MB-2021-32; AUTHORIZING RESOLUTION R-2021-50; AND AUTHORIZING TRANSFER OF PROJECT FUNDS.

Councilmember Bierman moved that all bids meeting specifications be accepted; the bid in the amount of \$2,600,996.65 be awarded to Rudy Construction Company as the lowest and best bidder meeting specifications; Contract K-2021-53 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution R-2021-50 be adopted; and \$297,000 be transferred from Project BP0416, Porter & Acres Intersection, Utilities (50594019-46701) and \$250,000 from Project WA0354, Water Line Replacement, Construction (31996683-46101) to Project BP0416, Porter & Acres Intersection, Construction (50594019-46101), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-2021-53 dated October 13, 2020, by Paul D’Andrea, Capital Projects Engineer
2. Tabulation of Quotes dated October 6, 2020, for the Porter and Acres Intersection 2019 Bond Project
3. Letter of Recommendation dated October 2, 2020, from Brett Moran, P.E., Cabbiness Engineering, L.L.C., to Paul D’Andrea, Capital Projects Engineer
4. Contract K-2021-53
5. Performance Bond B-2021-37
6. Statutory Bond B-2021-38
7. Maintenance Bond MB-2021-24
8. Resolution R-2021-50
9. Project Location Map

Item 10, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, adoption, and transfer, 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 all bids meeting specifications accepted; the bid in the amount of \$2,600,996.65 was awarded to Rudy Construction Company as the lowest and best bidder meeting specifications; Contract K-2021-53 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; Resolution R-2021-50 was adopted; and \$297,000 was transferred from Project BP0416, Porter & Acres Intersection, Utilities (50594019-46701) and \$250,000 from Project WA0354, Water Line Replacement, Construction (31996683-46101) to Project BP0416, Porter & Acres Intersection, Construction (50594019-46101).

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Item 11, being:

CONSIDERATION AND AWARDING OF BID 2020-30 FOR THE PURCHASE OF AGGREGATE AND STONE FOR THE STREET AND STORMWATER DIVISIONS.

Councilmember Bierman moved that all bids meeting specifications be accepted on Sections 1, 2, 4, and 14 and the bid be awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications, and Brown Transportation as the alternate bidder, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report BID-2021-30 dated October 8, 2020, by Carrie Evenson, Stormwater Program Manager
2. Bid tabulation active from November 1, 2020, to October 31, 2021, for Aggregate and Stone, Section 1, Class B Bedding Materials, delivered; Section 2, Aggregate Size #1 Washed Chips, delivered; Section 4, Aggregate Base, Type A, delivered; and Section 14, Manufactured Sand, coarse, delivered

and the question being upon accepting all bids meeting specifications on Sections 1, 2, 4, and 14 and upon the subsequent awarding of the bid, 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 all bids meeting specifications on Sections 1, 2, 4, and 14 accepted; and the bid was awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications, and Brown Transportation as the alternate bidder.

Thereupon, Councilmember Bierman moved that all bids meeting specifications be accepted on Section 3 and the bid be awarded to Brown Transportation as the lowest and best bidder meeting specifications, and Bernie Mathes Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Carter;

Item 11, continued:

Items submitted for the record

1. City Council Staff Report BID-2021-30 dated October 8, 2020, by Carrie Evenson, Stormwater Program Manager
2. Bid tabulation active from November 1, 2020, to October 31, 2021, for Aggregate and Stone, Section 3, Fine Aggregate for concrete, delivered

and the question being upon accepting all bids meeting specifications on Section 3 and upon the subsequent awarding of the bid, 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 all bids meeting specifications on Section 3 accepted; and the bid was awarded to Brown Transportation as the lowest and best bidder meeting specifications, and Bernie Mathes Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Bierman moved that the bid as meeting specifications be accepted on Sections 5 and 8 and the bid be awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report BID-2021-30 dated October 8, 2020, by Carrie Evenson, Stormwater Program Manager
2. Bid tabulation active from November 1, 2020, to October 31, 2021, for Aggregate and Stone, Section 5, Traffic Bound Surface Course, Type A, delivered; and Section 8, Aggregate Base, Type B, delivered

and the question being upon accepting the bid as meeting specifications on Sections 5 and 8 and upon the subsequent awarding of the bid, 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 bid as meeting specifications on Sections 5 and 8 accepted; and the bid was awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Bierman moved that the bid as meeting specifications be accepted on Section 6 and the bid be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report BID-2021-30 dated October 8, 2020, by Carrie Evenson, Stormwater Program Manager
2. Bid tabulation active from November 1, 2020, to October 31, 2021, for Aggregate and Stone, Section 6, Cement Kiln Dust, delivered

Item 11, continued:

and the question being upon accepting the bid as meeting specifications on Section 6 and upon the subsequent awarding of the bid, 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 bid as meeting specifications on Section 6 accepted; and the bid was awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Bierman moved that the bid as meeting specifications be accepted on Sections 9, 10, 11, and 12 and the bid be awarded to Brown Transportation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report BID-2021-30 dated October 8, 2020, by Carrie Evenson, Stormwater Program Manager
- 2. Bid tabulation active from November 1, 2020, to October 31, 2021, for Aggregate and Stone, Section 9, 3-inch Surge Rock, minimum fines, delivered; Section 10, 8-inch Riprap, delivered; Section 11, 12-inch Riprap, delivered; and Section 12, 18-inch Riprap, delivered

and the question being upon accepting the bid as meeting specifications on Sections 9, 10, 11, and 12 and upon the subsequent awarding of the bid, 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 bid as meeting specifications on Sections 9, 10, 11, and 12 accepted; and the bid was awarded to Brown Transportation as the lowest and best bidder meeting specifications.

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Item 12, being:

AMENDMENT TO EASEMENT E-2021-3: CONSIDERATION OF AMENDING EASEMENT E-2021-3 GRANTED TO HILDALGO TRADING, L.L.C., FOR USE OF A COMMUNICATIONS FACILITY/TOWER LOCATED AT 333 BRATCHER-MINER ROAD.

Councilmember Bierman moved that Amendment to Easement E-2021-3 be granted with receipt of a proper release and the execution thereof be authorized, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report E-2021-3, Amendment, dated October 16, 2020, by Nathan Madenwald, Utilities Engineer
- 2. Amendment to Easement E-2021-3
- 3. Easement E-2021-3
- 4. Location map

Item 12, continued:

and the question being upon accepting Amendment to E-2021-3 and upon the subsequent authorization, 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 Amendment to Easement E-2021-3 granted with receipt of a proper release; and the execution thereof was authorized.

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Item 13, being:

EASEMENT E-2021-32: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY, UTILITY, AND DRAINAGE EASEMENT IN THE AMOUNT OF \$14,065 FROM DONALD WAYNE AND KATHY ELAINE ROSS FOR THE 36TH AVENUE N.W. BOND PROJECT FROM TECUMSEH ROAD TO INDIAN HILLS ROAD.

Councilmember Bierman moved that Easement E-2021-32 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$14,065 to Donald Wayne and Kathy Elaine Ross be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report E-2021-32 dated October 9, 2020, by Paul D’Andrea, Capital Projects Engineer
2. Easement E-2021-32 with attached legal description and location map
3. Easement Table
4. Easement location map
5. Project location map

and the question being upon accepting Easement E-2021-32 and upon the subsequent directives, 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 Easement E-2021-32 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of \$14,065 to Donald Wayne and Kathy Elaine Ross were directed.

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tem 14, being:

EASEMENT E-2021-33: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY, UTILITY, AND DRAINAGE EASEMENT IN THE AMOUNT OF \$19,550 FROM SCOTT AND LISA L. JACKSON FOR THE 36TH AVENUE N.W. BOND PROJECT FROM TECUMSEH ROAD TO INDIAN HILLS ROAD.

Councilmember Bierman moved that Easement E-2021-33 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,550 to Scott and Lisa L. Jackson be directed, which motion was duly seconded by Councilmember Carter;

Item 14, continued:

Items submitted for the record

- 1. City Council Staff Report E-2021-32 dated October 9, 2020, by Paul D’Andrea, Capital Projects Engineer
- 2. Easement E-2021-33 with attached legal description and location map
- 3. Easement location map
- 4. Project location map

and the question being upon accepting Easement E-2021-33 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Easement E-2021-33 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,550 to Scott and Lisa L. Jackson were directed.

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Item 15, being:

EASEMENT E-2021-34: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY, UTILITY, AND DRAINAGE EASEMENT IN THE AMOUNT OF \$19,655 FROM NOEL DIXON SUDDATH AND EMMA JEAN SUDDATH FOR THE 36TH AVENUE N.W., BOND PROJECT FROM TECUMSEH ROAD TO INDIAN HILLS ROAD.

Councilmember Bierman moved that Easement E-2021-34 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,665 to Noel Dixon Suddath and Emma Jean Suddath be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report E-2021-32 dated October 9, 2020, by Paul D’Andrea, Capital Projects Engineer
- 2. Easement E-2021-34 with attached legal description and location map
- 3. Easement Table
- 4. Easement location map
- 5. Project location map

and the question being upon accepting Easement E-2021-34 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Easement E-2021-34 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,655 to Noel Dixon Suddath and Emma Jean Suddath were directed.

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Item 16, being:

EASEMENT E-2021-35: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY, UTILITY, AND DRAINAGE EASEMENT IN THE AMOUNT OF \$19,715 FROM NOEL DIXON SUDDATH AND EMMA JEAN SUDDATH FOR THE 36TH AVENUE N.W. BOND PROJECT FROM TECUMSEH ROAD TO INDIAN HILLS ROAD.

Councilmember Bierman moved that Easement E-2021-35 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,715 to Noel Dixon Suddath and Emma Jean Suddath be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report E-2021-35 dated October 9, 2020, by Paul D’Andrea, Capital Projects Engineer
2. Easement E-2021-35 with attached legal description and location map
3. Easement Table
4. Easement location map
5. Project location map

and the question being upon accepting Easement E-2021-35 and upon the subsequent directives, 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 Easement E-2021-35 accepted; and the filing thereof with the Cleveland County Clerk and payment in the amount of \$19,715 to Noel Dixon Suddath and Emma Jean Suddath were directed.

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Item 17, being:

SUBMISSION AND ACKNOWLEDGEMENT OF RECEIPT OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY WATER LINE PERMIT WL000014200507 DATED SEPTEMBER 3, 2020, FOR THE 2015 WATER WELL LINES PROJECT, PHASE II, LOCATED NEAR FRANKLIN ROAD AND 60TH AVENUE N.E.

Councilmember Bierman 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-2021-27 dated October 15, 2020, by Ken Giannone, Capital Projects Engineer
2. Letter dated September 3, 2020, from D. Adam Divine, P.E., Construction Permit Section, Water Quality Division, Oklahoma Department of Environmental Quality, to Mr. Chris Mattingly, Utilities Engineer
3. Oklahoma Department of Environmental Quality Water Line Permit WL000014200507 dated September 3, 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, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

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 ACCEPTANCE OF A 2020 COMMUNITY HOPE CENTERS GRANT IN THE AMOUNT OF \$237,329 FROM THE OKLAHOMA DEPARTMENT OF HUMAN SERVICES TO BE USED FOR THE COORDINATION OF CHILDCARE, VIRTUAL LEARNING, COUNSELING SERVICES AND DAILY MEALS AT NO COST TO RESIDENTS RELATED TO THOSE AFFECTED BY THE COVID-19 PANDEMIC; APPROVAL OF CONTRACT K-2021-64 FOR THE PARKS AND RECREATION DEPARTMENT; AND BUDGET APPROPRIATION FROM THE SPECIAL GRANTS FUND BALANCE.

Councilmember Bierman moved that a 2020 Community Hope Centers Grant in the amount of \$237,329 to be used for the coordination of childcare, virtual learning, counseling services, and daily meals at no cost to residents related to those affected by the COVID-19 pandemic be accepted; Contract K-2021-64 be approved; the execution thereof be authorized; and \$237,329 be appropriated from the Special Grants Fund Balance (22-29000) designating \$75,482 to CARES Program-Parks, Full-Time Salaries (22770299-42001); \$48,052 to Part-Time Salaries (22770299-42002); \$13,705 to Temporary Salaries (22770299-42003); \$15,000 to Recreational Supplies (22770299-43103); \$5,000 to Miscellaneous Supplies (22770299-43199); \$5,000 to Office Supplies (22770299-43001); \$45,000 to Miscellaneous Services (22770299-44299); and \$30,000 to Computer Equipment (22770299-45301); and, upon reimbursement, the funds be deposited into Revenue-CARES Parks & Rec (227-333302), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-2021-64 dated October 15, 2020, by Jason Olsen, Recreation Superintendent
2. Contract K-1920-64 with Attachment A, Scope of Work

and the question being upon accepting a 2020 Community Hope Centers Grant in the amount of \$237,329 to be used for the coordination of childcare, virtual learning, counseling services, and daily meals at no cost to residents related to those affected by the COVID-19 pandemic and upon the subsequent approval, authorization, appropriation, and deposit, 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 2020 Community Hope Centers Grant in the amount of \$237,329 to be used for the coordination of childcare, virtual learning, counseling services, and daily meals at no cost to residents related to those affected by the COVID-19 pandemic accepted; Contract K-2021-64 was approved; the execution thereof was authorized; and \$237,329 was appropriated from the Special Grants Fund Balance (22-29000) designating \$75,482 to CARES Program-Parks, Full-Time Salaries (22770299-42001); \$48,052 to Part-Time Salaries (22770299-42002); \$13,705 to Temporary Salaries (22770299-42003); \$15,000 to Recreational Supplies (22770299-43103); \$5,000 to Miscellaneous Supplies (22770299-43199); \$5,000 to Office Supplies (22770299-43001); \$45,000 to Miscellaneous Services (22770299-44299); and \$30,000 to Computer Equipment (22770299-45301); and, upon reimbursement, the funds will be deposited into Revenue-CARES Parks & Rec (227-333302).

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Item 19, being:

AUTHORIZATION FOR EXPENDITURE NO. SIX UNDER CONTRACT K-1314-102 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SMITH-ROBERTS LAND SERVICES, INC., IN AN AMOUNT NOT-TO-EXCEED \$9,380 TO PROVIDE ACQUISITION SERVICES UNDER AN ON-CALL CONTRACT FOR PORTER AVENUE AND ACRES STREET INTERSECTION BOND PROJECT.

Councilmember Bierman moved that an expenditure in an amount not-to-exceed \$9,380 under Contract K-1314-102 with Smith-Roberts Land Services, Inc., be approved and the execution thereof be authorized;

Items submitted for the record

- 1. Text File K-1314-102, Expenditure #6, dated October 8, 2020, by Paul D’Andrea, Capital Projects Engineer
- 2. Letter dated July 9, 2020, from Mark W. Bilyeu, SR/WA, President, Smith-Roberts Land Services, Inc., to Mr. Paul D’Andrea, P.E., Capital Projects Engineer
- 3. Project location map

and the question being upon approving an expenditure in an amount not-to-exceed \$9,380 under Contract K-1314-102 with Smith-Roberts Land Services, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and an expenditure in an amount not-to-exceed \$9,380 under Contract K-1314-102 with Smith-Roberts Land Services, Inc., approved; and the execution thereof be authorized;

* * * * *

Item 20, being:

CHANGE ORDER NO. ONE TO CONTRACT K-2021-5: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY, INC. INCREASING THE CONTRACT AMOUNT BY \$118,699.50 FOR A REVISED CONTRACT AMOUNT OF \$728,325.50 ADDING IOWA STREET BETWEEN PICKARD AVENUE AND FLOOD AVENUE TO THE PROJECT AND ADDING 34 CALENDAR DAYS FOR THE PICKARD AVENUE RECONSTRUCTION PROJECT FROM KANSAS STREET TO ACRES STREET.

Councilmember Bierman moved that Change Order No. One to Contract K-2021-5 with Nash Construction Company, Inc., increasing the contract amount by \$118,699.50 for a revised contract amount of \$728,325.50 and adding 34 calendar days to the contract 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-2021-5, Change Order No. One, dated September 29, 2020, by Jason Spencer, Capital Projects Engineer
- 2. Change Order No. One to Contract K-2021-5
- 3. Project Location Map

Item 20, continued:

and the question being upon approving Change Order No. One to Contract K-2021-5 with Nash Construction Company, Inc., increasing the contract amount by \$118,699.50 for a revised contract amount of \$728,325.50 and adding 34 calendar days to the contract and upon the subsequent authorization, 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 Change Order No. One to Contract K-2021-5 with Nash Construction Company, Inc., increasing the contract amount by \$118,699.50 for a revised contract amount of \$728,325.50 and adding 34 calendar days to the contract approved; and the execution thereof was authorized.

* * * * *

Item 21, being:

CONTRACT K-2021-62: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SHELTER INVESTMENTS, L.L.C., FOR A MONTHLY RENTAL FEE OF \$5,500 PER MONTH FOR THE LEASE OF REAL PROPERTY LOCATED AT 325 EAST COMANCHE STREET TO BE USED AS A WINTER WARMING SHELTER FROM NOVEMBER, 2020, UNTIL MARCH, 2021 AND BUDGET APPROPRIATION.

Councilmember Bierman moved that Contract K-2021-62 with Shelter Investments, L.L.C., in the amount of \$5,500 per month be approved, the execution thereof be authorized, and \$27,000 be appropriated from Other Revenue-Misc Grant Reimbursement (109-331346) to Rental & Leases, Office (10440152-44503), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-2021-62 dated October 20, 2020, by Lisa Krieg, CDBG/Grants Planner
2. Contract K-2021-62

Participants in discussion

1. Ms. Lisa Krieg, CDBG/Grants Planner
2. Ms. Kathryn Walker, City Attorney
3. Ms. Jane Hudson, Director of Planning and Community Development
4. Ms. Michelle Evans, Homeless Program Coordinator
5. Mr. Darrel Pyle, City Manager

and the question being upon approving Contract K-2021-62 with Shelter Investments, L.L.C., in the amount of \$5,500 per month and upon the subsequent authorization and appropriation, 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 Contract K-2021-62 with Shelter Investments, L.L.C., in the amount of \$5,500 per month approved; the execution thereof was authorized and \$27,000 was appropriated from Other Revenue-Misc Grant Reimbursement (109-331346) to Rental & Leases, Office (10440152-44503).

* * * * *

Item 22, being:

CONTRACT K-2021-63: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ELITE SECURITY PROTECTION SERVICES TO PROVIDE PRIVATE SECURITY SERVICES FOR THE WINTER WARMING SHELTER LOCATED AT 325 EAST COMANCHE STREET FROM NOVEMBER, 2020, THROUGH MARCH, 2021, AND BUDGET APPROPRIATION.

Councilmember Bierman moved that Contract K-2021-63 with Elite Protection Services through March 31, 2020, be approved, the execution thereof be authorized, and \$31,208 be appropriated from Other Revenue-Misc Grant Reimbursement (109-331346) to Security (10440152-44110), which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report K-2021-63 dated October 21, 2020, by Lisa Krieg, CDBG/Grants Planner
2. Proposal dated October 15, 2020, from Elite Protection Services in the amount of \$14,781.59 per month
3. Contract K-2021-63 with Exhibit A, Service to be Provided, and Exhibit B, Geographical Area of Responsibility

and the question being upon approving Contract K-2021-63 with Elite Protection Services through March 31, 2020, and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Contract K-2021-63 with Elite Protection Services through March 31, 2020, approved; the execution thereof was authorized and \$31,208 was appropriated from Other Revenue-Misc Grant Reimbursement (109-331346) to Security (10440152-44110).

* * * * *

Item 23, being:

RESOLUTION R-2021-60: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$19,327.30 FROM THE REFUNDS REIMBURSEMENTS MISCELLANEOUS RISK MANAGEMENT ACCOUNT RECEIVED FROM INSURANCE COMPANIES TO REPAIR AND REPLACE DAMAGED TRAFFIC SIGNAL EQUIPMENT OR TRAFFIC SIGNS DAMAGED IN TRAFFIC COLLISIONS.

Councilmember Bierman moved that Resolution R-2021-60 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report R-2021-60 dated October 15, 2020, by David Riesland, Transportation Engineer
2. Resolution R-2021-60

and the question being upon adopting Resolution R-2021-60, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-2021-60 was adopted.

* * * * *

Item 24, being:

RESOLUTION R-2021-62: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY EDWARD MCGRANE UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF EDWARD MCGRANE V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE NO. 2018-03311 J; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Bierman moved that Resolution R-2021-62 be adopted and payment of claims in the amount of \$27,800 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-62 dated October 21, 2020, by Jeanne Snider, Assistance City Attorney
- 2. Resolution R-2021-62
- 3. Calculations

and the question being upon adopting Resolution R-2021-62 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 Resolution R-2021-62 adopted; and payment of claims in the amount of \$27,800 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 25, being:

RESOLUTION R-2021-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING CARES ACT REIMBURSEMENT FUNDING IN THE AMOUNT OF \$6,525,000 RECEIVED FROM THE STATE OF OKLAHOMA FROM THE GENERAL FUND MISCELLANEOUS GRANT REIMBURSEMENTS ACCOUNT TO BE USED FOR IDENTIFIED HIGH PRIORITY PROJECTS.

Councilmember Bierman moved that Resolution R-2021-63 be adopted, which motion was duly seconded by Councilmember Carter;

Items submitted for the record

- 1. City Council Staff Report R-2021-63 dated October 23, 2020, by Anthony Francisco, Finance Director
- 2. Resolution R-2021-63

Participants in discussion

- 1. Mr. Anthony Francisco, Finance Director
- 2. Mr. Darrel Pyle, City Manager
- 3. Mr. Dan Schemm, Executive Director, Visit Norman, 309 East Main Street
- 4. Mr. Jud Foster, Director of Parks and Recreation
- 5. Ms. Kathryn Walker, City Attorney

Item 25, continued:

Participants in discussion, continued

- 6. Ms. Denise Sober, Ward 7, asked questions
- 7. Ms. Marian Nunez made comments
- 8. Ms. Shelly Harris, Ward 5, made comments
- 9. Ms. Kendra Wesson, Ward 3, made comments
- 10. Ms. Laurie Scott, Ward 6, asked questions

Thereupon, Councilmember Foreman moved that Resolution R-2021-63 be postponed until November 10, 2020, which motion was duly seconded by Councilmember Nash;

Participants in discussion

- 1. Mr. Darrel Pyle, City Manager
- 2. Mr. Anthony Francisco, Finance Director
- 3. Ms. Dara Rice, proponent
- 4. Ms. Karri Shcolnik asked questions
- 5. Mr. Mike Charboneau, Ward 5, proponent
- 6. Ms. Shelly Harris, Ward 5, proponent
- 7. Ms. Cynthia Rogers, Ward 4, asked questions
- 8. Ms. Laurie Scott, Ward 6, proponent
- 9. Mr. Braden Hartsell, Ward 1, proponent
- 10. Mr. Mark Campbell, Ward 6, proponent
- 11. Mr. Jim Jinkins, Ward 4, proponent

and the question being upon postponing Resolution R-2021-63 until November 10, 2020, a vote was taken with the following result:

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

The Mayor declared the motion failed and Resolution R-2021-63 was not postponed until November 10, 2020.

and the question being upon adopting Resolution R-2021-63, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution R-2021-63 was adopted.

* * * * *

Item 26, being:

CONTRACT K-2021-65: A PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY, THE CITY OF NORMAN, OKLAHOMA, AND UNIVERSITY TOWN CENTER, L.L.C., FOR THE PURCHASE OF TWELVE (12) ACRES OF REAL PROPERTY LOCATED IN THE VICINITY OF 24TH AVENUE N.W. AND WEST ROCK CREEK ROAD FOR A PURCHASE PRICE OF \$2,069,971 AND BUDGET APPROPRIATION FROM THE UNIVERSITY NORTH PARK TAX INCREMENT FINANCE (UNPTIF) FUND BALANCE.

This item was withdrawn by Staff.

* * * * *

Item 27, being:

CONSIDERATION OF ORDINANCE O-2021-4 UPON SECOND AND FINAL READING: 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.

Ordinance O-2021-4 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 13, 2020, Councilmember Bierman moved that Ordinance O-2021-4 be adopted upon Second Reading section by section, 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

Participants in Discussion

- 1. Ms. Kathryn Walker, City Attorney

and the question being upon adopting Ordinance O-2021-4 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-2021-4 was adopted upon Second Reading section by section.

Thereupon, Councilmember Holman moved that Ordinance O-2021-4 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Bierman; and the question being upon adopting Ordinance O-2021-4 upon Final Reading as a whole, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-2021-4 was adopted upon Final Reading as a whole.

* * * * *

Item 28A, being:

RESOLUTION R-2021-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER OF SECTION TWELVE (12), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, COMMERCIAL, OFFICE, INDUSTRIAL AND OPEN SPACE DESIGNATIONS AND PLACE THE SAME IN THE MIXED USE DESIGNATION. (NORTHWEST CORNER OF TECUMSEH ROAD AND 12TH AVENUE N.W.)

Councilmember Holman moved that Resolution R-2021-34 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto which motion was duly seconded by Councilmember Carter;

Items submitted for the record

1. City Council Staff Report R-2021-34 dated August 13, 2020, by Lora Hoggatt, Planning Services Manager
2. Resolution R-2021-34
3. Location map
4. Planning Commission Staff Report dated September 10, 2020, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 10, 2020

Participants in discussion

1. Mr. Sean Rieger, Rieger Law Group, 136 Thompson Drive, attorney representing the applicant
2. Mr. Mohammad Khan, SMC Consulting Engineers, 815 West Main Street, engineer representing the applicant
3. Mr. B.J. Hawkins, Traffic Engineering Consultants, 6000 S. Western, #300, Oklahoma City, traffic engineer representing the applicant
4. Mr. Isaac Christian, Landmark Homes, 2900 Washington Drive, applicant

and the question being upon adopting Resolution R-2021-34 and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Resolution R-2021-34 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 28, being:

CONSIDERATION OF ORDINANCE O-2021-9 UPON SECOND AND FINAL READING: 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.)

Ordinance O-2021-9 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 13, 2020, Councilmember Peacock moved that Ordinance O-2021-9 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Petrone;

Item 28, continued:

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 adopting Ordinance O-2021-9 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-2021-9 was adopted upon Second Reading section by section.

Thereupon, Councilmember Petrone moved that Ordinance O-2021-9 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-2021-9 upon Final Reading as a whole, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Ordinance O-2021-9 was adopted upon Final Reading as a whole.

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Item 29, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR FLINT HILLS ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED AT THE NORTHWEST CORNER OF WEST TECUMSEH ROAD AND 12TH AVENUE N.W.)

Councilmember Petrone moved that the preliminary plat for Flint Hills Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. City Council Staff Report PP-2021-2 dated August 13, 2020, by Ken Danner, Subdivision Development Coordinator with attached Traffic Impacts
2. Location map
3. Preliminary plat
4. Planning Commission Staff Report dated September 10, 2020, recommending approval

Item 29, continued:

Items submitted for the record, continued

5. City of Norman Development Review Form, Transportation Impacts, dated August 12, 2020, reviewed by David R. Riesland, P.E., Traffic Engineer, for Flint Hills Addition Preliminary Plat
6. Memorandum dated September 4, 2020, from Ken Danner, Subdivision Development Manager, to Chairperson and Members, Norman Planning Commission
7. Preliminary site development plan
8. City of Norman Predevelopment Case PD20-17 dated August 27, 2020, from for Landmark Land Company and Kent Connally for property located on the northwest corner of 12th Avenue N.W. and Tecumseh Road
9. Greenbelt Commission Comments dated August 17, 2020
10. Pertinent excerpts from Planning Commission minutes of September 10, 2020

and the question being upon approving the preliminary plat for the Flint Hills Addition, A Planned Unit Development, 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 preliminary plat for the Flint Hills Addition, a Planned Unit Development was approved.

* * * * *

Item 30, being:

CONSIDERATION OF ORDINANCE O-2021-16 UPON SECOND AND FINAL READING:
 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).

Ordinance O-2021-16 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 13, 2020, Councilmember Bierman moved that Ordinance O-2021-16 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

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
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

Item 30, continued:

Items submitted for the record, continued

- 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

Participants in discussion

- 1. Mr. Blaine Nice, Fellers Snider Law Firm, 100 North Broadway Avenue, Suite 1700, Oklahoma City, attorney representing the applicant
- 2. Ms. Beth Muckala, Assistant City Attorney
- 3. Ms. Kathryn Walker, City Attorney
- 4. Ms. Brenda Hall, City Clerk
- 5. Mr. Shawn O’Leary, Director of Public Works

and the question being upon adopting Ordinance O-2021-16 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: Councilmembers Nash and Petrone

The Mayor declared the motion carried and Ordinance O-2021-16 was adopted upon Second Reading section by section.

Thereupon, Councilmember Foreman moved that Ordinance O-2021-16 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-2021-16 upon Final Reading as a whole, a vote was taken with the following result:

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

NAYES: Councilmembers Nash and Petrone

The Mayor declared the motion carried and Ordinance O-2021-16 was adopted upon Final Reading as a whole.

* * * * *

Item 31, being:

CONSIDERATION OF ORDINANCE O-2021-6 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE V CREATING THE POSITION OF MUNICIPAL AUDITOR TO BE APPOINTED AND REMOVED BY THE CITY COUNCIL, AND RENUMBERING ARTICLE DESIGNATIONS SET FORTH IN THE CHARTER AFTER ARTICLE V ACCORDINGLY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-2021-6 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 28, 2020, and postponed on August 11, 2020, until October 27, 2020, Councilmember Bierman moved that Ordinance O-2021-6 be rejected, which motion was duly seconded by Councilmember Hall;

Item 31, continued:

Items submitted for the record

- 1. Text File O-2021-6 dated July 27, 2020, by Kathryn Walker, City Attorney
- 2. Ordinance O-2021-6
- 3. Legislatively notated copy of Ordinance O-2021-6

and the question being upon rejecting Ordinance O-2021-6, 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 Ordinance O-2021-6 was rejected.

* * * * *

Item 32, being:

CONSIDERATION OF ORDINANCE O-2021-7 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, ON THE 3RD DAY OF NOVEMBER, 2020, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN THE QUESTION OF APPROVING OR REJECTING ORDINANCE O-2021-6, WHICH ORDINANCE PROPOSES TO ADD ARTICLE V CREATING THE POSITION OF MUNICIPAL AUDITOR TO BE APPOINTED AND REMOVED BY THE CITY COUNCIL, RENUMBER ARTICLE DESIGNATIONS SET FORTH IN THE CHARTER AFTER ARTICLE V ACCORDINGLY, AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-2021-7 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 28, 2020, and postponed August 11, 2020, until October 27, 2020, Councilmember Foreman moved that Ordinance O-2021-7 be rejected, which motion was duly seconded by Councilmember Bierman;

Items submitted for the record

- 1. Text File O-2021-7 dated July 27, 2020, by Kathryn Walker, City Attorney
- 2. Ordinance O-2021-7

and the question being upon rejecting Ordinance O-2021-7 upon Second Reading section by section, 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 Ordinance O-2021-7 was rejected.

* * * * *

Item 33, being:

RESOLUTION R-2021-35: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020.

This item is a companion item to Ordinance O-2021-7 which was rejected by City Council; therefore, this item is moot.

Item 34, being:

MISCELLANEOUS COMMENTS

Coronavirus Aid, Relief, and Economic Security (CARES) Funding. Mr. Mark Campbell, Ward 6, said Maslow's Hierarchy of Needs is a psychological pyramid scale of human needs, such as air, water, food, shelter, sleep, and clothing (the bottom tier). He said this is what Council needs to be focusing on when discussing the Coronavirus Aid, Relief, and Economic Security (CARES) Funding related to the pandemic. At the top of the pyramid is self-actualization, which is the desire to become the best one can be which includes art and tourism, and, in his opinion, Council spends too much time coddling this tier of the hierarchy when they should be showing more compassion for those who are truly suffering.

*

Voting. Councilmember Bierman reminded everyone to vote on Tuesday.

Councilmember Petrone and Mayor Clark encouraged everyone to get out and vote.

Councilmember Foreman reminded everyone that early voting begins tomorrow.

*

Masks. Councilmember Bierman reminded everyone to wear their masks when going to public places because this pandemic is not going to end any time soon.

Mayor Clark said as COVID-19 cases keep increasing, many people will lose loved ones and although we cannot control the virus, we can control our own actions so please wear a mask, wash your hands frequently, and follow social distancing guidelines.

*

Ward Meeting. Councilmember Carter said he had a really great Ward 2 meeting on last Monday night with a surprising number of residents attending. He is planning another meeting in a few weeks.

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Whooping Cranes. Councilmember Carter said there are not many Whooping Cranes left in the world, but a few have been hanging around Lake Thunderbird and he hopes they will continue to make Norman a part of their migration region.

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Ice Storm. Councilmember Petrone thanked Staff for their relentless hard work during the recent ice storm. She encouraged everyone to check on their neighbors, especially the elderly and disabled.

Councilmember Hall said she also wanted to thank Staff for their response to the ice storm as well as the utility companies who are working diligently to restore power. She especially wants to thank all of the utility companies coming in from out-of-state to help.

Councilmember Foreman said many of her neighbors have been helping each other with debris from the ice storm, which is very inspiring.

Councilmember Holman thanked Staff for their quick response after the ice storm as well as Oklahoma Gas and Electric (OG&E) Company and Oklahoma Electric Cooperative (OEC).

Councilmember Peacock said if anyone in Ward 8 is unable to get their storm debris to the curb, do not hesitate to contact him for volunteer information.

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Miscellaneous Discussion, continued:

Residential Fall Clean-Up. Councilmember Nash reminded residents that have Friday trash service that their fall clean-up day will be this Saturday.

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Condolences. Councilmember Holman said his friend Mr. John Braly lost his life to COVID-19 and sent his condolences to the family.

Mayor Clark sent her condolences to Mr. Harold Heiple’s family. She said Mr. Heiple was well known for his dedication to the Norman community and will be missed.

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ADJOURNMENT

The Mayor adjourned the meeting at 10:17 p.m.

ATTEST:

City Clerk

Mayor

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