

## CITY COUNCIL SPECIAL SESSION MINUTES

March 16, 2020

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:30 p.m. in the Municipal Building Council Chambers on the 16th day of March, 2020, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

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

ABSENT: Councilmember Carter

Item 2, being:

### DISCUSSION REGARDING NORMAN'S PREPAREDNESS FOR THE CORONAVIRUS.

Ms. Kathryn Walker, City Attorney, said the Mayor signed a proclamation on March 13th that declared an emergency for the City of Norman, which is important in terms of being ready to obtain federal or state funding for an emergency. She said the City originally restricted gatherings of more than 250 people with the exception of school districts and Cleveland County whom the City has no authority over. She said the proclamation is set to expire on April 3rd; however, the Mayor can extend that at any time.

Mr. Darrel Pyle, City Manager, said Mr. Travis King, Fire Chief, activated the Emergency Operations Center (OEC) in a virtual capacity, through a virtual product known as Zoom, so there is no need for project managers to convene in one room. He said the Police Department has activated Incident Command, a 24-hour reporting period site, and with these two systems operational the City is provided the appropriate venues of communication to County and State partners as well as access to resources, if needed.

Mayor Clark said Norman was the first city in Oklahoma to declare a state of emergency and last night Governor Stitt declared a state of emergency for Oklahoma. She said cities and counties throughout Oklahoma are working together to provide a united front. She said pandemic regulations can rapidly change and group gatherings have now been restricted to ten people or less and the public is being instructed to not go to bars, restaurants, gyms, etc., where large groups tend to gather.

Councilmember Bierman asked about the City's preparedness plan to ensure City services remain operational in the event of a more restrictive quarantine. Mr. Pyle said by Wednesday, the City will be reviewing and evaluating essential staffing limits for each department and reviewing every level of service, but he expects City services to continue uninterrupted. He said the City is also reviewing the relationship between recreational activities and school activities and what recreational services will be available during spring break.

Councilmember Bierman asked if there had been discussion about options for residents who might be struggling financially and cannot pay their utility payment with the City as she would not want their water turned off for non-payment. Mr. Pyle said Oklahoma Gas and Electric (OG&E) recently stated they would not be in the disconnect mode of operation for at least the next thirty days and the City has initiated that same conversation for customers, but is waiting for Council direction. He said when accounts hit the \$300 range it becomes nearly impossible for some of those rate payers to catch up. Councilmember Bierman said the City needs to be activating that as soon as possible so people will have reassurance that the City is taking every step possible to ensure their essential City services will remain operational. She said no one knows how long this situation will last or how soon true relief will be coming.

Councilmember Bierman said Norman Community Relief on Facebook is working on a community resource guide to help citizens. She said Cleveland County is discussing how they will handle evictions and jury trials have been suspended, which means people will be sitting in jail longer. She said during a pandemic, jails would be comparable to cruise ships in terms of transmission and spread of disease.

Councilmember Holman said in regards to not disconnecting City utilities, he would suggest freezing late fees and considering how the City can help citizens catch up on their bills after the pandemic has lessened, such as an easy payment plan.

Councilmember Holman asked if Municipal Court will be operating and Ms. Walker said dockets have been cancelled and citizens are being rescheduled for mid-June. She said Municipal Court's lobby will be open to citizen's paying tickets or tickets can be paid online. She said the City is exploring the potential for a Judge to issue an administrative order to allow some deferred sentences on certain charges that would not normally be allowed at the counter.

Councilmember Holman said the City is not providing COVID testing, but he has received a lot of questions regarding testing and concerns from citizens who say they cannot find a testing site or cannot get tested even if they have symptoms. He asked what people wanting a test can do for that and Mayor Clark said testing is being directed through the Oklahoma State Department of Health and they are currently working on setting up drive-thru testing facilities, but no locations have been determined at this time.

Councilmember Holman said the economic concerns are a huge issue because of Norman's reliance on sales tax revenue. He said when the public is self-quarantining and businesses have to temporarily close that will have a big impact on businesses that could permanently close, especially small businesses. He said many citizens work in restaurants, bars, hotels, etc., with hourly pay and use most smaller businesses will not be able to pay employees for time off due to the forced closures. He said the smaller businesses may not qualify for any type of loan either. He understands the closures need to take place to mitigate the spread of the virus, but is concerned about the aftermath to businesses and employees.

Councilmember Wilson said the Norman Community Relief Facebook group is setting up some pretty good social safety net infrastructure and a group of 20 to 30 people has grown to 2,000. She said there are four teams ready to coordinate relief efforts in the private sector that includes a supply and donation team, service agency team, team of mental health professionals, and a driver's team willing to pick up or drop off needed items. She has spoken with the Chamber of Commerce to ensure there is a safety net for businesses and asked the Chamber to form at least three teams to help with tech support for businesses that may have to move to online functions as well as labor sharing resources and salary stabilization for hourly employees. She would also like to see some grant programs from the federal government.

Councilmember Petrone supports the City not disconnecting utility service and waiving late fees to relieve as many stressors as possible. She would be interested to know what authority the City has for banning evictions. Ms. Walker said she has not reviewed that specific issue, but there are a lot of ways the City is pre-empted in terms of landlord/tenant relationships.

Councilmember Petrone asked what the City can do to ensure the homeless community needs are continuing to be met and Mr. Pyle said Staff in the Community Development Block Grant (CDBG) Department will be overseeing responses to the homeless community.

Councilmember Petrone asked if the City has hospital capacity updates and Mayor Clark said nothing has changed at this time.

Councilmember Petrone asked if the City has the ability to take municipal action in regard to closing non-essential businesses and make citizens quarantine and, if so, what is Council able to do under an emergency? Ms. Walker said State Title 11 specifically covers quarantines and states, "the municipal governing body may enact and enforce such ordinance, rules, and regulations necessary for the protection of the public health that are not inconsistent with State law including regulations to prevent the introduction of contagious diseases and may enforce quarantine laws." She said there is also authority under Chapter Two of the City's Code of Ordinances, but these have never been used.

Councilmember Petrone said she would like to compile a list of businesses that have traditionally been brick and mortar, but are looking to continue their services or sell goods at an online or delivery capacity. She would like to get the list circulated to the public in order to limit economic impact and possibly help those businesses.

Councilmember Petrone said the City has become overly reliant on social media and The Norman Transcript for putting out information to the public and at a time like this, that will not be enough. She said most at-risk populations are not using social media or reading a newspaper so she would encourage Staff and the City Manager to develop better ways to quickly reach the community. She encouraged the public to sign up for Alert Norman at the City's website to receive press releases and emergency alerts.

Councilmember Petrone urged everyone to check in with their neighbors, especially those living alone or with health issues, and help them in any way possible. She said loneliness is just as much

a killer as the virus. She said anxietyvirus.org has seen a massive spike in calls and texts to their suicide hotline and urged people to visit the website for information on coping mechanisms. Councilmember Petrone urged anyone experiencing price gouging on essential services or goods, to report them to the State Attorney General's Office at 405-521-2029.

Councilmember Hall said she would like to address a communication plan as a City because not everyone is on Facebook and not everyone has access to newspapers. She said the City has good resources, such as signing up for Norman News and the alert system, but she has concerns about communication during this rapid and evolving virus situation. She commended the Mayor on the leadership she has taken in getting information to the public.

Councilmember Hall asked where the most updated information will be coming from, who is the voice for the City? She said there is an overwhelming amount of information being circulated and not all of it is accurate, so the City needs to find a way to speak as the City. She said there are many Homeowner Associations (HOAs) and Neighborhood Associations in Norman that can help get information out to their communities.

Councilmember Hall said there will be many Norman residents who will be wanting to find ways to support local businesses and however creative the City can be in partnering with the Chamber, Downtowners Association, etc., to let the community know how they can support these business would be welcome.

Councilmember Hall said she also supports providing utility relief to residents.

Mayor Clark asked Mr. Scott Martin, President of the Chamber of Commerce, to update Council on the Chamber's efforts. Mr. Martin thanked Council for referencing the Chamber because the Chamber cannot be the voice for all issues in the community, but is the voice for businesses and he appreciates the City's willingness to partner with the Chamber to help during this particularly challenging time. He said ways to help local businesses include buying gift cards now and spending them later, shopping locally online, and participating in curbside pickup.

Mr. Martin said Congress and the President have identified a little over \$8 billion to help with the crisis with \$7 billion in low interest loans. He said to access those dollars, five businesses in Oklahoma have to have experienced loss and one business in each County who have experienced a loss to qualify for this funding. He said businesses can visit [www.damage.ok.gov](http://www.damage.ok.gov) to submit a form that helps the government identify businesses in Oklahoma who have experienced a loss. He said direct assistance to individuals and businesses is needed now and urged the public to contact Congress and the President to make this happen.

Mr. Martin said the Chamber created a page on their website at [www.normanchamber.com](http://www.normanchamber.com) to specifically deal with the COVID 19 crisis and has a number of resources for individuals and businesses to avail themselves. He said beginning tomorrow the Chamber will have an online form for businesses who are either offering discounts or changing the way they do business to share that information with the community. He said the Chamber stands ready to help all businesses and individuals to access what may be needed. He said standing together, the

community will make it through these hard times, but there will be some rough waters along the way. He asked for everyone's patience as changes continue to evolve.

Councilmember Petrone encouraged The Norman Transcript to drop pay walls on anything COVID related.

Councilmember Scanlon said one of the things Legislature can do that may help is the elimination of the payroll tax for the remainder of the year, which could save money and encouraged everyone to contact their State leaders.

Councilmember Scanlon said he worries about available hospital beds and was comforted by the Norman Regional Hospital (NRH) presentation regarding the isolation ward they have set up for the virus. He said if this virus persists through the hot summer months, hospital beds will become scarce and wondered if contingencies have been made.

Councilmember Scanlon said communication is also important and another avenue that can be pursued is churches. He said churches have contact with a lot of people throughout the City and they can help keep the community informed.

Councilmember Scanlon said Food and Shelter for Friends provides essential services to the homeless community and are making preparations for COVID related issues among the homeless community. He said Food and Shelter for Friends is just one of many agencies anticipating and preparing for the unknown.

Councilmember Scanlon said he would support waiving any City fees/charges or working with individuals and businesses on payment plans.

Councilmember Scott arrived at 6:45 p.m.

Councilmember Scanlon said the Fire and Police Departments as well as NRH have been preparing for weeks in anticipation of the virus and thanked them for their forward thinking.

Mr. Travis King, Fire Chief, said a couple of weeks ago, the City Manager asked him to set up the City's emergency response structure. When talking about emergency response, the City is familiar with tornadoes, fires, police related activities, etc., but now the City has to set up for a pandemic and that is something the City does not have a lot of experience with. He said the Emergency Operations Center (EOC) is a conduit to receive information from the policy group to pass forward to the Incident Command Center who can address the needs in the field. The EOC can then coordinate with State and County officials to get what is needed in the field to conduct operations. He said as time goes by more pieces can be added to the Incident Command structure, but moving forward this will be a Police Department operation that will morph into a more unified command as structure is added. He said the EOC is now virtual, which is new technology for Staff and has been established and tested. He said City of Norman Department Heads have been looking at worst case scenarios and preparing for that in their various departments.

Councilmember Bierman said the University of Oklahoma (OU) is not running their busses on campus routes so there are a decent number of Norman residents who are currently not able to ride the bus on the apartment and research loops. She said some residents rely on the busses to get to churches for food donations and they are beginning to get nervous about what will happen to them if they cannot ride the bus. She asked if the City could have conversations with OU regarding maintaining their bus routes or paying the City to run those routes.

Mr. Shawn O'Leary, Director of Public Works, said Staff spoke with OU representatives today and although the bus service was not anticipated to be in the non-essential category, it is at OU so all the university routes have not been running. He said there is no opportunity to reinstate those services so OU is out of the transit business for the foreseeable future. He said the City bus routes are still in operation and the City has no plans to stop bus operations, but conversations are taking place with EMBARK regarding social distancing, sanitizing, etc. He said OU made special accommodations for the City to continue to use its transit facility and in return the City will routinely clean the facility, busses, bay areas, etc. He said OU will not allow the City to use their busses so Staff is trying to find ways to operate the OU routes; however, that has been extremely difficult without additional busses and personnel. He said a Notice of Temporary Service Rules have been created and posted on each bus regarding social distancing of three feet from another person, limiting the number of passengers per bus, having people enter the front of the bus and exit the back of the bus so they are not running into each other, etc.

Councilmember Bierman said she appreciates the information provided by Mr. O'Leary and hopes Staff is thinking about other solutions. She suggested talking with Norman Public Schools (NPS) regarding a partnership with the City to use some of their busses that are not being used.

Councilmember Bierman said the Senate is reviewing House Bill 6201 (HB 6201) known as the Family's First Corona Virus Response Act that includes emergency paid time off, sick leave, and extended Family Medical Leave Act (FMLA) as well as expanded Supplemental Nutrition Assistant Program (SNAP) and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) benefits. She said HB 6201 does include an additional \$1 billion for SNAP, WIC, and Emergency Food Assistance Program some of which will go to schools for programs they are offering, some will go towards expanding eligibility for SNAP and WIC. It also directs \$2 billion to State governments to expand unemployment programs, waive work search requirements and waiting periods. She said for those diagnosed with COVID 19 or those who have lost their jobs due to the pandemic the HB includes an emergency paid leave program for workers who are sick, quarantined, caring for a sick loved one, or have a child out of school from a COVID 19 related closure; payroll protection for those currently not eligible; and an emergency paid sick day program, which would be 14 days of sick leave required to be given by employers for those undergoing quarantine, caring for a sick loved one, or caring for children out of school. She said for businesses with less than 50 employees, the cost will be reimbursed by the federal government, but the initial hurt will come out of the business owners pocket. She urged everyone to contact their representatives to let them know how important this is for individuals and businesses because the economic impact is going to be felt for a long time. She said loans are helpful, but are not a solution. She said a solution is relief and that is not something that has been historically done as a Country, but there have been some pretty significant shifts in policy perspectives.

Councilmember Holman said most small businesses cannot afford to repay any interest loan so a loan does not really help them.

Councilmember Holman said he is concerned about the campus bus routes because many of the campus routes are in his ward. He said there are many low income and disabled residents who live in the Emerald Green Apartments off Dewey Avenue near Reaves Park that use the campus routes to get to the Brooks Transfer Station to board a City operated bus, which is a mile walk. He would be open to exploring any potential options.

Councilmember Holman encouraged City Council to reach out to Cleveland County about the possibility of halting evictions during the pandemic.

Councilmember Hall said a lot of City meetings have been cancelled, but some are still being planned and wondered what the current thinking is about the meeting schedule and how that impacts Staff who will be in the public in meetings as well as having daily interactions with the public. How will the City be protecting Staff? Mayor Clark said she requested the City Clerk cancel all meetings that are not calendar driven and all the boards and commissions have been notified and that applies to Council committees as well. She spoke with the Governor's Office regarding possible adjustments to the Open Meetings Act (OMA) so the City will not have to put Council or Staff in harm's way, but has no answer at this time. She asked the City Manager to update Council on how the City is protecting Staff.

Mr. Pyle said NPS will be on extended spring break until April 6, 2020, and the City's Recreation Centers will be operating spring break camps and the City does not want to shut that down without providing parents the opportunity to find alternatives. He said the City will be gradually winding those programs down and personnel will be asked to come back to work and will begin a cleaning program for those public facilities so when they return to service they will be disinfected. He said all online payment services and the drive-thru payment window will be fully operational. He said Staff discussed a different path of travel for customers on foot to get to the Treasury windows without having to walk through the entire building and will use one door typically used for employees only for that purpose. He said the police and fire have established protocol depending on the nature of the incoming 911 calls, i.e., someone reporting that a person coughed on them. He said each department is being evaluated and he should have an idea of what essential personnel will continue to work by Wednesday.

Mr. Pyle said Staff will track the two weeks paid leave (provided in HB 6201) in the event the City has to ask an employee to quarantine, the employee is exposed and needs to quarantine, or an employee has tested positive. He said without this piece of legislature, an employee who does not accrue sick leave would not be paid while quarantined. He said each department will respond to staffing needs accordingly.

Councilmember Hall said she fully supports the steps the City is taking as well as the leadership from the Mayor and City Manager in being aggressive and assertive and not waiting for guidance from other agencies. She said this type of leadership is really important for Norman right now and hopes the City continues to push the envelope and being ahead of flattening that curve. She said this is an opportunity for citizens to come together as a community.

Mayor Clark said there are cities around the nation that are taking tougher measures and Norman has a confirmed case of community spread that happened before spring break. She said Dallas, Texas, released the following measures today:

- Bars, lounges, or taverns and private clubs are closed
- Dine-in restaurants may sell food for drive-thru, takeout, curbside delivery, or delivery only
- Entertainment venues, such as movie theatres, are prohibited
- Gyms and fitness studios are closed
- No community gatherings of more than 50 people

Mayor Clark said Norman's community has been proactive by cancelling events and shutting their doors. She knows this is a difficult decision because Oklahoma depends on sales tax, which means businesses closing to help flatten the curve will hurt in Oklahoma harder than any other State. She is asking Councilmembers for feedback and support in enacting tougher measures to battle the virus.

Councilmember Petrone said she had some heartburn about moving full steam ahead for a desperately needed bailout on NORMAN FORWARD Projects when it is not an absolute necessity. She said if the City is going to ask businesses to close and people to stay home for two weeks to weather what is ahead then she does not believe it would be prudent to ask people to approve a large General Obligation (G.O.) Bond package in June. She said August is a more realistic timeframe because, at this time, she cannot imagine having people stand in long lines to vote.

Councilmember Petrone said people's lives are far more important than anything else at the moment and although some people may not be in the high risk category, the younger generation hanging out in bars and at events interacting with others within the community can bring the virus to a high risk relative. She supports closing nonessential businesses out of caution and said it will be economically painful, but necessary for public health and safety.

Councilmember Bierman said she would like to give businesses and individuals an opportunity to prepare and put processes in place, figure out how they are going to take online orders, and work with the Chamber on a resource guide. She said testing may be free, but treatment of the virus will not. She said someone who is young and fairly healthy could still require a very significant costly treatment for the virus. She said if they are uninsured or underinsured then that is the primary reason the City needs to take these steps. She said it is not just about the number of deaths, it is the amount of medical debt people will rack up because they touched a door handle that someone else touched and it happens to affect them differently. She believes the City should take action, but wants to make sure the City has time to shore up a safety net for the community on a local level.

Councilmember Bierman said she would like consider moving the April City Council Run-Off election to June, if possible, because she is concerned about the safety of the people voting as well as the workers at the voting sites.

Councilmember Wilson said as a small business owner, she has been making changes to her business models across the board. She has moved her doggie day care pick up and drop offs to curbside service because she has two employees whose immune systems are compromised so she is being very careful to keep their exposure to a minimum. She has closed the coffee shops and changed the structure for online orders, curbside pickup, and delivery service. She said it is imperative that the City take these steps and be proactive even though her small businesses may go bankrupt; however, people and businesses can recover from bankruptcy and economic downfalls, but people generally do not recover from death. She said State leaders have to do their jobs to protect Oklahoma and provide the funding needed and encouraged City staff and the public to push the federal government for monetary relief.

Councilmember Holman said he supports taking more precautions than surrounding communities, but has concerns about restaurants and bars closing because their employees make minimum wage, some rely heavily on tips, and many probably do not have paid sick leave. He said there are many places where people gather that includes grocery stores, convenience stores, offices, etc., and the City is not making them shut down. Mayor Clark said many restaurants can transition to delivery or curbside pickup.

Councilmember Scott said she supports the proactive measures being outlined by the Mayor. She said the conversation tonight has been very business oriented because the City is so dependent on sales tax revenue, which is extremely volatile. She said the City seems to be prioritizing profits over people and that is clearly a problem. She said the City needs to be providing more services to people and the City and other utility entities will not be cutting off necessary services during the pandemic. In regards to bonds, the City should anticipate business as usual and elections be held as proposed.

Councilmember Scanlon said he understands the necessity for closing non-essential businesses so if the City closes bars and restaurants, how long will that last and what will it be the criteria for them to reopen? Mayor Clark said President Trump is recommending 15 days and that is her proposal as well, but the City can extend that at any time if necessary. Councilmember Scanlon suggested the City limit the capacity of people in stores, such as Walmart, Target, Crest Foods, etc.

Councilmember Holman said if businesses are going to be closed for extended periods of time, will the Police Department be beefing up patrols to check on those closed businesses to prevent crime. Mr. Pyle said the Police Department will do the best job they can with available Staff.

Councilmember Wilson said businesses are people and if a business goes bankrupt, then people lose their jobs. She said stabilizing employee's salaries is imperative because many people live pay check to pay check and missing even one paycheck would have a huge negative impact. She wants to close businesses now for a short period of time to avoid the larger problem of businesses closing permanently.

Councilmember Petrone said she does not want to shut down businesses, but if they have the ability for online sales, curbside service, delivery, drive thru service, etc., they should have the opportunity to stay in operation. She is supportive of giving businesses at least 24 to 48-hours advance notice to prepare a different type of operating system.

Councilmember Bierman suggested waiting until later in the week before enacting a 15-day shutdown, which should give businesses time to prepare. She said finding a balance to operate while keeping employees safe is important so the City should not be thinking that its “business as usual” and should not be thinking that everything will operate the same as they have always been because all the countries hit by COVID before the United States has proven that this pandemic makes significant changes to lives as well as the way businesses and governments operate. She said because of the long term impact of COVID, the City should not be thinking about bond elections, the City should be thinking about the impact to businesses and individuals. She is very concerned about medical debt for people impacted by the pandemic and those who will lose their jobs. She believes things will clearly get worse before they get better.

Mayor Clark thanked everyone for their input and said effective immediately, the number for people gathering in one location will be 50 or less instead of 250 or less. She understands St. Patrick’s day is tomorrow and is ordinarily a fun time to connect with friends and family, but now is not the time. She said effective 48 hours from now, bars, gyms, and theatres will close for 15 days and restaurants and retail non-essential businesses will close unless they can meet guidelines already discussed. She asked the Public Work’s Staff to work with the Chamber to establish parking spaces marked for curbside pickup only at local businesses.

Items submitted for the record

1. Emergency Proclamation dated March 13, 2020

\* \* \* \* \*

Item 3, being:

ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

\* \* \* \* \*

ATTEST:

---

City Clerk

---

Mayor