

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

May 26, 2015

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 26th day of May, 2015, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Williams moved that Item 4 through Item 31 excluding Item 26 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Holman; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 31 excluding Item 26, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 4 through Item 31 excluding Item 26 were placed on the consent docket by unanimous vote.

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Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF APRIL 30, 2015  
CITY COUNCIL MINUTES OF MAY 12, 2015  
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 12, 2015  
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 12, 2015  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 12, 2015

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Williams moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Holman;

- Items submitted for the record
1. Text File GID-1415-79 dated May 11, 2015, by Brenda Hall, City Clerk
  2. City Council Conference minutes of April 30, 2015
  3. City Council minutes of May 12, 2015
  4. Norman Utilities Authority minutes of May 12, 2015
  5. Norman Municipal Authority minutes of May 12, 2015
  6. Norman Tax Increment Finance Authority minutes of May 12, 2015

Item 4, continued:

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry,  
Heiple, Holman, Jungman, Lang, Miller,  
Williams, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 5, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF APRIL 30, 2015, AND DIRECTING THE FILING THEREOF.

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

- Items submitted for the record
1.

Text File RPT-1415-61 dated May 11, 2015, by Anthony Francisco, Director of Finance
2.

Finance Director's Investment Report of April 30, 2015

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 Allison, Castleberry,  
Heiple, Holman, Jungman, Lang, Miller,  
Williams, Mayor Rosenthal

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 6, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 2015, AND DIRECTING THE FILING THEREOF.

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

- Items submitted for the record
1.

Text File RPT-1415-62 dated May 11, 2015, by Stacey Parker, Administrative Assistant
2.

Monthly Departmental Reports for the month of April, 2015

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 Allison, Castleberry,  
Heiple, Holman, Jungman, Lang, Miller,  
Williams, Mayor Rosenthal

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 7, being:

CONSIDERATION OF THE RATIFICATION OF THE DECLARATION OF EMERGENCY REPAIRS TO THE DEWATERING CENTRIFUGE AT THE WATER RECLAMATION FACILITY IN THE AMOUNT OF \$36,718.34 TO HILLER SEPARATION AND PROCESSES AND AUTHORIZING THE CITY MANAGER TO TRANSFER \$36,718.34 FROM THE SLUDGE REMOVAL ACCOUNT.

Acting as the Norman Utilities Authority, Trustee Williams moved that ratification of the declaration of emergency repairs in the amount of \$36,718.34 to Hiller Separation and Process, L.L.C., be approved and the City Manager be authorized to transfer \$36,718.34 from Business Services/Sludge Removal (032-5545-432.41-21) designating \$29,218.34 to Machinery, Equipment & Parts (032-5545-432.32-04) and \$7,500 to Maintenance & Repair Services/Plant & Operating Equipment Services (032-5545-432.42-11), which motion was duly seconded by Trustee Holman;

Items submitted for the record

- 1. Text File GID-1415-90 dated May 18, 2015, by Steve Hardeman, Water Reclamation Superintendent
- 2. Memorandum dated April 29, 2015, from Steven D. Hardeman, Water Reclamation Plant Manager, through Ken Komiske, Director of Utilities, to Steve Lewis, City Manager
- 3. Invoice Q15-1429 dated April 28, 2015, in the amount of \$36,718.34 from Hiller Separation and Process, L.L.C.

and the question being upon approving ratification of the declaration of emergency repairs in the amount of \$36,718.34 to Hiller Separation and Process, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and ratification of the declaration of emergency repairs in the amount of \$36,718.34 to Hiller Separation and Process, L.L.C., approved; the City Manager was authorized to transfer \$36,718.34 from Business Services/Sludge Removal (032-5545-432.41-21) designating \$29,218.34 to Machinery, Equipment & Parts (032-5545-432.32-04) and \$7,500 to Maintenance & Repair Services/Plant & Operating Equipment Services (032-5545-432.42-11).

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Item 8, being:

CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY COS-1415-5 FOR SEVEN OAKS WITH A VARIANCE IN THE PRIVATE ROAD REQUIREMENTS AND ACCEPTANCE OF EASEMENTS E-1415-71 AND E-1415-72. (LOCATED AT 2101 156TH AVENUE S.E.)

Councilmember Williams moved that Norman Rural Certificate of Survey COS-1415-5 for Seven Oaks and a variance in the private road requirements from 20 feet to 12 feet be approved, Easements E-1415-71 and E-1415-72 be accepted, and the filing of the Certificate of Survey and easements with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File COS-1415-5 dated January 13, 2015, by Ken Danner, Subdivision Development Manager
- 2. Location map
- 3. Norman Rural Certificate of Survey COS-1415-5
- 4. Planning Commission Staff Report dated February 12, 2015, recommending approval
- 5. Letter requesting variance in the width of private road dated January 29, 2015, from Chad Snyder to City of Norman Planning Commission and City of Norman Staff Members
- 6. Easement E-1415-71 with Exhibit "A," legal description and location maps
- 7. Easement E-1415-72 with Exhibit "A," legal description and location map
- 8. Pertinent excerpts from Planning Commission minutes of February 12, 2015

Item 8, continued:

and the question being upon approving Norman Rural Certificate of Survey COS-1415-5 for Seven Oaks with a variance in the private road requirements from 20 feet to 12 feet and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Norman Rural Certificate of Survey COS-1415-5 for Seven Oaks with a variance in the private road requirements from 20 feet to 12 feet approved; Easements E-1415-71 and E-1415-72 were accepted and the filing of the Certificate of Survey and easements with the Cleveland County Clerk was directed.

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Councilmember Castleberry requested that he be allowed to abstain from voting on Items 9 through 20 due to a conflict of interest; thereupon, Councilmember Williams moved that Councilmember Castleberry be allowed to abstain from voting on Items 9 through 20 due to a conflict of interest, which motion was duly seconded by Councilmember Holman; and the question being upon allowing Councilmember Castleberry to abstain from voting on Items 9 through 20, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Holman, Heiple, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Councilmember Castleberry was allowed to abstain from voting on Items 9 through 20 due to a conflict of interest.

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Item 9, being:

EASEMENT E-1415-78: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SIDEWALK EASEMENT FROM RICHARD S. DOWELL, III, REVOCABLE LIVING TRUST IN THE AMOUNT OF \$11,460 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-78 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$11,460 to Richard S. Dowell, III, Revocable Living Trust be directed, which motion was duly seconded by Councilmember Holman;

- Items submitted for the record
- 1. Text File E-1415-78 dated May 19, 2015, by John Clink, Capital Projects Engineer
  - 2. Location map
  - 3. List of Parcels
  - 4. Easement E-1415-78

and the question being upon accepting Easement E-1415-78 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-78 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$11,460 to Richard S. Dowell, III, Revocable Living Trust were directed.

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Item 10, being:

TEMPORARY EASEMENT E-1415-79: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT FROM RICHARD S. DOWELL, III, REVOCABLE LIVING TRUST IN THE AMOUNT OF \$1,360 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Temporary Easement E-1415-79 be accepted and the filing thereof with the City Clerk and payment in the amount of \$1,360 to Richard S. Dowell, III, Revocable Living Trust be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-79 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Temporary Easement E-1415-79

and the question being upon accepting Temporary Easement E-1415-79 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Temporary Easement E-1415-79 accepted; the filing thereof with the City Clerk and payment in the amount of \$1,360 to Richard S. Dowell, III, Revocable Living Trust were directed.

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Item 11, being:

EASEMENT E-1415-80: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY EASEMENT FROM RUTHERFORD OIL COMPANY, INC., IN THE AMOUNT OF \$48,628 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-80 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$48,628 to Rutherford Oil Company, Inc., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-80 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-80

and the question being upon accepting Easement E-1415-80 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-80 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$48,628 to Rutherford Oil Company, Inc., was directed.

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Item 12, being:

EASEMENT E-1415-81: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY EASEMENT FROM RUTHERFORD OIL COMPANY, INC., IN THE AMOUNT OF \$8,034 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-81 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$8,034 to Rutherford Oil Company, Inc., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-81 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-81

and the question being upon accepting Easement E-1415-81 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-81 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$8,034 to Rutherford Oil Company, Inc., were directed.

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Item 13, being:

TEMPORARY EASEMENT E-1415-82: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT FROM RUTHERFORD OIL COMPANY, INC., IN THE AMOUNT OF \$510 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Temporary Easement E-1415-82 be accepted and the filing thereof with the City Clerk and payment in the amount of \$510 to Rutherford Oil Company, Inc., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-82 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Temporary Easement E-1415-82

and the question being upon accepting Temporary Easement E-1415-82 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Temporary Easement E-1415-82 accepted; the filing thereof with the City Clerk and payment in the amount of \$510 to Rutherford Oil Company, Inc., were directed.

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Item 14, being:

EASEMENT E-1415-83: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SIDEWALK EASEMENT FROM LINDSEY SQUARE, L.L.C., IN THE AMOUNT OF \$13,075 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-83 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$13,075 to Lindsey Square, L.L.C., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-83 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-83

and the question being upon accepting Easement E-1415-83 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-83 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$13,075 to Lindsey Square, L.L.C., were directed.

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Item 15, being:

TEMPORARY EASEMENT E-1415-84: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT FROM LINDSEY SQUARE, L.L.C., IN THE AMOUNT OF \$2,007.28 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Temporary Easement E-1415-84 be accepted and the filing thereof with the City Clerk and payment in the amount of \$2,007.28 to Lindsey Square, L.L.C., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-84 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Temporary Easement E-1415-84

and the question being upon accepting Temporary Easement E-1415-84 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Temporary Easement E-1415-84 accepted; the filing thereof with the City Clerk and payment in the amount of \$2,007.28 to Lindsey Square, L.L.C., were directed.

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Item 16, being:

TEMPORARY EASEMENT E-1415-85: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT FROM LINDSEY SQUARE, L.L.C., IN THE AMOUNT OF \$1,190 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Temporary Easement E-1415-85 be accepted and the filing thereof with the City Clerk and payment in the amount of \$1,190 to Lindsey Square, L.L.C., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-85 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Temporary Easement E-1415-85

and the question being upon accepting Temporary Easement E-1415-85 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Temporary Easement E-1415-85 accepted; the filing thereof with the City Clerk and payment in the amount of \$1,190 to Lindsey Square, L.L.C., were directed.

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Item 17, being:

EASEMENT E-1415-86: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SIDEWALK EASEMENT FROM CHARLESTON APARTMENTS LIMITED PARTNERSHIP IN THE AMOUNT OF \$13,530 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-86 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$13,530 to Charleston Apartments Limited Partnership be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-86 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-86

and the question being upon accepting Easement E-1415-86 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-86 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$13,530 to Charleston Apartments Limited Partnership were directed.

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Item 18, being:

EASEMENT E-1415-87: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM CHARLESTON APARTMENTS LIMITED PARTNERSHIP IN THE AMOUNT OF \$7,300 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-87 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$7,300 to Charleston Apartments Limited Partnership be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-87 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-87

and the question being upon accepting Easement E-1415-87 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-87 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$7,300 to Charleston Apartments Limited Partnership were directed.

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Item 19, being:

EASEMENT E-1415-88: CONSIDERATION OF ACCEPTANCE OF A PERMANENT ROADWAY EASEMENT FROM THE SECURITY NATIONAL BANK AND TRUST COMPANY OF NORMAN IN THE AMOUNT OF \$15,944 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-88 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$15,944 to Security National Bank and Trust Company of Norman be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-88 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-88

and the question being upon accepting Easement E-1415-88 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-88 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$15,944 to Security National Bank and Trust Company of Norman were directed.

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Item 20, being:

EASEMENT E-1415-89: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY EASEMENT FROM TACO BELL OF AMERICA, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, IN THE AMOUNT OF \$9,859 FOR THE WEST LINDSEY STREET IMPROVEMENT PROJECT FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Williams moved that Easement E-1415-89 be accepted and the filing thereof with the Cleveland County Clerk and payment in the amount of \$9,859 to Taco Bell of America, L.L.C., a Delaware Limited Liability Company, be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File E-1415-89 dated May 20, 2015, by John Clink, Capital Projects Engineer
- 2. Location map
- 3. List of Parcels
- 4. Easement E-1415-89 with Exhibit “A”, Real Estate Signing Authorizations

and the question being upon accepting Easement E-1415-89 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Castleberry

The Mayor declared the motion carried and Easement E-1415-89 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$9,859 to Taco Bell of America, L.L.C., a Delaware Limited Liability Company, were directed.

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Item 21, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$850 FROM AN ANONYMOUS DONOR TO BE USED BY THE NORMAN POLICE DEPARTMENT TO PURCHASE A BULLET PROOF VEST.

Councilmember Williams moved that a donation in the amount of \$850 from an anonymous donor to be used by the Norman Police Department to purchase a bulletproof vest be accepted and Citizen Donations (010-0000-365.13-72) be increased by \$850 and \$850 be appropriated to Plant and Operating Equipment/Safety (010-6015-421.51-21), which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File GID-1415-84 dated May 14, 2015, by Major Kevin Foster

and the question being upon accepting a donation in the amount of \$850 from an anonymous donor to be used by the Norman Police Department to purchase a bulletproof vest and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a donation in the amount of \$850 from an anonymous donor to be used by the Norman Police Department to purchase a bulletproof vest accepted; Citizen Donations (010-0000-365.13-72) was increased by \$850 and \$850 was appropriated to Plant and Operating Equipment/Safety (010-6015-421.51-21).

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Item 22, being:

AMENDMENT NO. ONE TO CONTRACT K-1011-82: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND SPRINT SPECTRUM REALTY COMPANY, L.P., TO INSTALL NEW AND EXPANDED TELECOMMUNICATIONS EQUIPMENT ON THE LINDSEY STREET MONOPOLE AT 668 EAST LINDSEY STREET AS PART OF THE LEASE AGREEMENT WITH A ONE-TIME PAYMENT TO THE CITY OF NORMAN IN THE AMOUNT OF \$3,000.

Councilmember Williams moved that Amendment No. One to Contract K-1011-82 with Sprint Spectrum Realty Company, L.P., be approved, the execution thereof be authorized, a one-time payment in the amount of \$3,000 be accepted, and Rental/Water Towers (031-0000-363.15-82) be increased by \$2,100 and Rental/Cell Towers (010-0000-363.15-78) be increased by \$900, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File K-1011-82, Amendment No. One, dated May 14, 2015, by Vanessa Fryar, Programmer Analyst
- 2. Amendment No. One to Contract K-1011-82 with Exhibit B-1, modifications
- 3. Contract K-1011-82 with Exhibit A, Legal Description of Owner’s Property; Exhibit B, Site Plan; and Exhibit C, Memorandum of Agreement

and the question being upon approving Amendment No. One to Contract K-1011-82 with Sprint Spectrum Realty Company, L.P., and upon the subsequent authorization, acceptance, and increase, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Chairman declared the motion carried and Amendment No. One to Contract K-1011-82 with Sprint Spectrum Realty Company, L.P., approved; the execution thereof was authorized, a one-time payment in the amount of \$3,000 was accepted, and Rental/Water Towers (031-0000-363.15-82) was increased by \$2,100 and Rental/Cell Towers (010-0000-363.15-78) was increased by \$900.

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Item 23, being:

CHANGE ORDER NO. TWO TO CONTRACT K-1112-85: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES INCREASING THE CONTRACT AMOUNT BY \$350,000 FOR A REVISED CONTRACT AMOUNT OF \$1,225,727 TO PROVIDE ADDITIONAL PAVEMENT REPAIRS AND REPLACEMENT IN CASTLEROCK ADDITION TO THE 2012 URBAN CONCRETE PAVEMENT REHABILITATION BOND PROGRAM AND BUDGET TRANSFER FROM THE FYE 2015 URBAN ASPHALT PAVEMENT REHABILITATION PROJECT ACCOUNT.

Councilmember Williams moved that Change Order No. Two to Contract K-1112-85 with Central Contracting Services, Inc., increasing the contract amount by \$350,000 for a revised contract amount of \$1,225,727 be approved; the execution thereof be authorized; and \$350,000 be transferred from Project BP0246, Urban Asphalt Pavement Rehabilitation FYE 2015, Construction (050-9401-431.61-01) to Project BP0336, Castlerock Addition, Construction (050-9393-431.61-01), which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File K-1112-85, Change Order No. Two, dated April 2, 2015, by Greg Hall, Street Superintendent
- 2. Location map
- 3. Change Order No. Two to Contract K-1112-85 with attached Detailed Cost Itemization
- 4. Purchase Requisition 0000249536 dated May 13, 2015, in the amount of \$350,000 to Central Contracting Services, Inc.

Item 23, continued:

and the question being upon approving Change Order No. Two to Contract K-1112-85 with Central Contracting Services, Inc., increasing the contract amount by \$350,000 for a revised contract amount of \$1,225,727 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Change Order No. Two to Contract K-1112-85 with Central Contracting Services, Inc., increasing the contract amount by \$350,000 for a revised contract amount of \$1,225,727 approved; the execution thereof was authorized and \$350,000 was transferred from Project BP0246, Urban Asphalt Pavement Rehabilitation FYE 2015, Construction (050-9401-431.61-01) to Project BP0336, Castlerock Addition, Construction (050-9393-431.61-01).

\* \* \* \* \*

Item 24, being:

FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT K-1415-14: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PLAYPOWER LT FARMINGTON, INC., FORMERLY KNOWN AS LITTLE TIKES COMMERCIAL PLAY SYSTEMS FOR THE ANDREWS PARK TOT LOT PLAYGROUND IMPROVEMENT PROJECT.

Councilmember Williams moved that the project be accepted and final payment in the amount of \$3,343 to Playpower LT Farmington, Inc., formerly known as Little Tikes Commercial Play Systems be directed, which motion was duly seconded by Councilmember Holman;

- Items submitted for the record
1. Text File K-1415-14, Final, dated May 18, 2015, by Mitch Miles, Park Planner
  2. Purchase Order 251827 dated August 5, 2014, to Playpower LT Farmington, Inc., in the amount of \$66,860 subtracting payments totaling \$63,517 leaving a balance of \$3,343

and the question being upon accepting the project and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$3,343 to Playpower LT Farmington, Inc., formerly known as Little Tikes Commercial Play Systems was directed.

\* \* \* \* \*

Item 25, being:

AMENDMENT NO. ONE TO CONTRACT K-1415-50: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE DISTRICT ATTORNEY’S COUNCIL INCREASING THE GRANT FUNDING OF A COVERDALE NATIONAL FORENSIC ACT GRANT BY \$4,976.14 FOR A REVISED GRANT AMOUNT OF \$12,440.36 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR ACCREDITATION FEES AND FOR THE PURCHASE OF LABORATORY CAMERA EQUIPMENT AND BUDGET APPROPRIATION.

Councilmember Williams moved that Amendment No. One to Contract K-1415-50 with the District Attorney’s Council increasing the grant funding of a Coverdale National Forensic Sciences Improvement Act Grant by \$4,976.14 for a revised grant amount of \$12,440.36 to be used by the Police Department be approved; the execution thereof be authorized; the Mayor be further authorized to sign any supplemental documentation related to the grant; Other Revenue/Police Grants (022-0000-334.13-43) be increased by \$4,976.14 and \$339.14 be appropriated to Project GP0024, Coverdale NFSIA Grant, Books/Reports/Manuals (022-6011-421.30-11); \$1,825 to Professional License/Certification Fees (022-6011-421.40-99); \$960.40 to Training & Development Fees (022-6011-421.40-17); and \$1,851.60 to Travel Expenses (022-6011-421.46-04), which motion was duly seconded by Councilmember Holman;

Item 25, continued:

Items submitted for the record

- 1. Text File K-1415-50, Amendment No. One, dated May 13, 2015, by Sergeant John Stege
- 2. Memorandum dated May 7, 2015, from Gracy Helm, Grant Program Specialist, State of Oklahoma District Attorney’s Council, to John Stege, Financial Officer, Norman Police Department
- 3. Amendment No. One to Contract K-1415-50

and the question being upon approving Amendment No. One to Contract K-1415-50 with the District Attorney’s Council increasing the grant funding of a Coverdale National Forensic Sciences Improvement Act Grant by \$4,976.14 for a revised grant amount of \$12,440.36 to be used by the Police Department and upon the subsequent authorization, increase, and appropriations, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Chairman declared the motion carried and Amendment No. One to Contract K-1415-50 with the District Attorney’s Council increasing the grant funding of a Coverdale National Forensic Sciences Improvement Act Grant by \$4,976.14 for a revised grant amount of \$12,440.36 to be used by the Police Department approved; the execution thereof was authorized; the Mayor was further authorized to sign any supplemental documentation related to the grant; Other Revenue/Police Grants (022-0000-334.13-43) was increased by \$4,976.14; and \$339.14 was appropriated to Project GP0024, Coverdale NFSIA Grant, Books/Reports/Manuals (022-6011-421.30-11); \$1,825 to Professional License/Certification Fees (022-6011-421.40-99); \$960.40 to Training & Development Fees (022-6011-421.40-17); and \$1,851.60 to Travel Expenses (022-6011-421.46-04).

\* \* \* \* \*

Item 26, being:

FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT K-1415-72: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND PLAY BY DESIGN, INC. FOR THE LIONS PARK TOT LOT PLAYGROUND IMPROVEMENT PROJECT.

Councilmember Williams moved that the project be accepted and final payment in the amount of \$3,750 to Play by Design, Inc., be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File K-1415-72, Final, dated May 19, 2015, by Mitch Miles, Park Planner
- 2. Purchase Order 256909 dated December 3, 2014, to Play by Design, Inc., in the amount of \$75,000 subtracting payments totaling \$71,250 leaving a balance of \$3,750

and the question being upon accepting the project and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$3,750 to Play by Design, Inc., was directed.

\* \* \* \* \*

Item 27, being:

CONTRACT K-1415-128: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER L.L.C., IN THE AMOUNT OF \$149,991 TO PROVIDE ENGINEERING SERVICES TO PREPARE PLANS AND SPECIFICATIONS FOR WIDENING, LIGHTING, AND TRAFFIC SIGNAL IMPROVEMENTS FOR THE INTERSECTION OF 24TH AVENUE N.W. AND TEE DRIVE.

Councilmember Williams moved that Contract K-1415-128 with Garver, L.L.C., in the amount of \$149,991 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File K-1415-128 dated May 12, 2015, by Angelo Lombardo, Transportation Engineer
- 2. Location map
- 3. Contract K-1415-128 with Appendix A, Scope of Services; Attachment B, Schedule; Appendix C, Project Description; and Attachment D, Owner’s Responsibilities
- 4. Purchase Requisition 0000249480 dated May 12, 2015, in the amount of \$149,991 to Garver Engineers, L.L.C.

and the question being upon approving Contract K-1415-128 with Garver, L.L.C., in the amount of \$149,991 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract K-1415-128 with Garver, L.L.C., in the amount of \$149,991 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 28, being:

CONTRACT K-1415-133: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND OKLAHOMA CITY LANDFILL, L.L.C., D/B/A SOUTHEAST (OKC) LANDFILL TO PROVIDE SOLID WASTE DISPOSAL SERVICES FOR A PERIOD OF THREE YEARS.

Acting as the Norman Municipal Authority, Trustee Williams moved that Contract K-1415-133 with Oklahoma City Landfill, L.L.C., d/b/a Southeast (OKC) Landfill for a period of three years be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Holman;

Items submitted for the record

- 1. Text File K-1415-133 dated May 5, 2015, by Bret Scovill, Solid Waste Manager
- 2. Contract K-1415-133
- 3. Landfill Proposal Comparison
- 4. Location map of landfill in Alex, Oklahoma

and the question being upon approving Contract K-1415-133 with Oklahoma City Landfill, L.L.C., d/b/a Southeast (OKC) Landfill for a period of three years and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Chairman declared the motion carried and Contract K-1415-133 with Oklahoma City Landfill, L.L.C., d/b/a Southeast (OKC) Landfill for a period of three years approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 29, being:

CONTRACT K-1415-136: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND JWEBB & ASSOCIATES, L.L.C. IN THE AMOUNT OF \$41,781.25 TO PROVIDE CONSULTING SERVICES TO COORDINATE AND ESTABLISH A RAILROAD QUIET ZONE BETWEEN POST OAK ROAD AND ACRES STREET.

Councilmember Williams moved that Contract K-1415-136 with JWebb & Associates, L.L.C., in the amount of \$41,781.25 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File K-1415-136 dated May 15, 2015, by Angelo Lombardo, Transportation Engineer
- 2. Location map
- 3. Supplemental Safety Measures and Cost
- 4. Contract K-1415-136 with Attachment A, Scope of Services; Attachment B, Schedule; and Attachment C, Estimated Labor and Secondary Locations
- 5. Purchase Requisition 0000249684 dated May 18, 2015, in the amount of \$41,781.25 to JWebb & Associates, L.L.C.

and the question being upon approving Contract K-1415-136 with JWebb & Associates, L.L.C., in the amount of \$41,781.25 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract K-1415-136 with JWebb & Associates, L.L.C., in the amount of \$41,781.25 approved; and the execution thereof was authorized.

\* \* \* \* \*

Item 30, being:

RESOLUTION R-1415-106: A RESOLUTION OF THE TRUSTEES OF THE NORMAN UTILITIES AUTHORITY AND THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING \$1,433,017 OF 2006 SERIES WATER BOND FUNDING TO THE BERRY ROAD WATER LINE REPLACEMENT PROJECT, REALLOCATING \$500,000 TO THE RAW WATER LINE PROJECT, AND REDUCING WATER FUND APPROPRIATIONS BY \$834,675.

Acting as the City Council and the Norman Utilities Authority, Councilmember Williams moved that Resolution R-1415-106 be adopted, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File R-1415-106 dated April 28, 2015, by Mark Daniels, Utilities Engineer
- 2. Resolution R-1415-106

and the question being upon adopting Resolution R-1415-106, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution R-1415-106 was adopted.

\* \* \* \* \*

Item 31, being:

RESOLUTION R-1415-107: A RESOLUTION OF THE TRUSTEES OF THE NORMAN UTILITIES AUTHORITY AND THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING REMAINING SEWER SALES TAX PROCEEDS INTO THE PHASE 2 WATER RECLAMATION FACILITY CONSTRUCTION PROJECT AND CLOSING THE SEWER SALES TAX FUND.

Acting as the City Council and the Norman Utilities Authority, Councilmember Williams moved that Resolution R-1415-107 be adopted, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File R-1415-107 dated April 28, 2015, by Mark Daniels, Utilities Engineer
- 2. Wastewater Capital Improvement Projects
- 3. Resolution R-1415-107

and the question being upon adopting Resolution R-1415-107, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution R-1415-107 was adopted.

\* \* \* \* \*

Item 32, being:

PUBLIC HEARING REGARDING THE FYE 2016 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

Councilmember Williams moved that a public hearing be conducted, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File GID-1415-80 dated May 11, 2015, by Anthony Francisco, Director of Finance
- 2. City of Norman, Oklahoma, Fiscal Year Ending 2016 Annual Budget Summary of Fund Balances
- 3. Letter dated March 31, 2015, from Dan Schemm, Executive Director, Norman Convention and Visitors Bureau, Inc., to Norman City Council
- 4. Norman Convention and Visitors Bureau FY 2015/2016 Budget
- 5. The City of Norman, Oklahoma, Fiscal Year Ending June 30, 2016, Budget and Financial Plan, Fiscal Year-End 2017-2020 (Preliminary)
- 6. PowerPoint entitled “City of Norman Fiscal Year 2015-2016 Budget Public Hearing, May 26, 2015

and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

- 1. Mr. Anthony Francisco, Finance Director
- 2. Mr. Dan Schemm, Executive Director, Norman Convention and Visitors Bureau, Inc.
- 3. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions



Item 32, continued:

Thereupon, Councilmember Williams moved that the public hearing be closed, which motion was duly seconded by Councilmember Heiple; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Williams moved that an agenda item be scheduled on June 9, 2015, to adopt the FYE 2016 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, which motion was duly seconded by Councilmember Heiple; and the question being upon an agenda item being scheduled on June 9, 2015, to adopt the FYE 2016 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and an agenda item will be scheduled on June 9, 2015, to adopt the FYE 2016 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work.

\* \* \* \* \*

Item 33, being:

CONSIDERATION OF ORDINANCE O-1415-31 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR AN AUTOMOTIVE SERVICE STATION (GAS STATION) IN THE C-1, LOCAL COMMERCIAL DISTRICT FOR LOT TWO (2), BLOCK ONE (1), OF WINDSOR ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTHWEST CORNER OF 36TH AVENUE N.W. AND TECUMSEH ROAD)

Ordinance O-1415-31 having been Introduced and adopted upon First Reading by title in City Council’s meeting of May 12, 2015, Councilmember Williams moved that Ordinance O-1415-31 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Heiple;

- Items submitted for the record
1. Text File O-1415-31 dated January 13, 2015, by Jane Hudson, Principal Planner
  2. Ordinance O-1415-31 with Exhibit A, Site Plan
  3. Location map
  4. Staff report dated April 9, 2015, recommending approval
  5. Traffic flow diagram
  6. Predevelopment Summary Case PD 15-01 dated January 22, 2015, for Byblos Holding, L.L.C., for property located at the southwest corner of 36th Avenue N.W. and Tecumseh Road
  7. Email requesting postponement dated February 4, 2015, from Rudy Khouri, to Jane Hudson, Principal Planner
  8. Memorandum dated February 4, 2015, from Jane Hudson, Principal Planner, and Ken Danner, Subdivision Development Manager, to Chairman and Members, Norman Planning Commission
  9. Pertinent excerpts from Planning Commission minutes of February 12, 2015
  10. Email requesting postponement dated March 4, 2015, from Rudy Khouri to Jane Hudson, Principal Planner
  11. Pertinent excerpts from Planning Commission minutes of March 12, and April 9, 2015
- Participants in discussion
1. Mr. Rudy Khouri, 1213 Woodstock Court, applicant
  2. Mr. Shawn O’Leary, Director of Public Works
  3. Ms. Susan Connors, Director of Planning and Community Development

Item 33, continued:

and the question being upon adopting Ordinance O-1415-31 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1415-31 upon Second Reading section by section.

Thereupon, Councilmember Williams moved that Ordinance O-1415-31 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance O-1415-31 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance O-1415-31 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 34, being:

CONSIDERATION OF ORDINANCE O-1415-38 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR AN OFF-STREET PARKING LOT IN THE R-3, MULTI-FAMILY DWELLING DISTRICT FOR PART OF LOTS FORTY-FOUR AND FORTY-FIVE, BLOCK ONE OF LARSH’S UNIVERSITY ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (531 SOUTH UNIVERSITY BOULEVARD)

Ordinance O-1415-38 having been Introduced and adopted upon First Reading by title in City Council’s meeting of May 12, 2015, Councilmember Williams moved that Ordinance O-1415-38 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File O-1415-38 dated March 16, 2015, by Janay Greenlee, Planner
- 2. Ordinance O-1415-38 with Exhibit A, site plan
- 3. Location map
- 4. Staff report dated April 9, 2015, recommending approval
- 5. Aerial Photograph of Othello’s Proposed Parking Lot
- 6. Predevelopment Summary Case PD 15-06 dated March 26, 2015, for Spearman Investments for property located at 535 South University Boulevard
- 7. Pertinent excerpts from Planning Commission minutes of April 9, 2015
- 8. Revised site plan

Participants in discussion

- 1. Mr. Blaine Nice, Fellers Snider, 100 North Broadway, Suite 1700, Oklahoma City, attorney representing the applicant
- 2. Ms. Susan Connors, Director of Planning and Community Development
- 3. Ms. Joy Hampton, Norman Transcript, 215 East Comanche Street, asked questions
- 4. Mr. Shawn O’Leary, Director of Public Works

Item 34, continued:

Thereupon, Councilmember Holman moved that Ordinance O-1415-38 be amended to read as follows:

\* \* \*

- § 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following conditions are hereby attached to the zoning of the tract:
- a. The site shall be developed in accordance with the Site Plan (Exhibit A), and supporting documentation submitted by the applicant and approved by the Planning Commission on April 9, 2015.
  - b. Allow a variance on the minimum height standard for the fence on the north and south sides of the west end of the property to make it more aesthetically pleasing.

\* \* \*

which motion was duly seconded by Councilmember Heiple;

- Participants in discussion
- 1. Mr. Jeff Bryant, City Attorney
  - 2. Mr. Blaine Nice, Fellers Snider, 100 North Broadway, Suite 1700, Oklahoma City, attorney representing the applicant

and the question being upon amending Ordinance O-1415-38 as stated above, a vote was taken with the following result:

- |        |   |
|--------|---|
| YEAS:  | Councilmembers Allison, Castleberry, Holman, Lang, and Williams |
| NAYES: | Councilmembers Heiple, Jungman, Miller, Mayor Rosenthal         |

The Mayor declared the motion carried and Ordinance O-1415-38 was amended as stated above.

and the question being upon adopting Ordinance O-1415-38, as amended, upon Second Reading section by section, a vote was taken with the following result:

- |        |   |
|--------|---|
| YEAS:  | Councilmembers Allison, Castleberry, Holman, Lang, and Williams |
| NAYES: | Councilmembers Heiple, Jungman, Miller, Mayor Rosenthal         |

The Mayor declared the motion carried and Ordinance O-1415-38, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Williams moved that Ordinance O-1415-38, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Heiple; and the question being upon adopting Ordinance O-1415-38, as amended, upon Final Reading as a whole, the roll was called with the following result:

- |        |   |
|--------|---|
| YEAS:  | Councilmembers Allison, Castleberry, Holman, Lang, and Williams |
| NAYES: | Councilmembers Heiple, Jungman, Miller, Mayor Rosenthal         |

The Mayor declared the motion carried and Ordinance O-1415-38, as adopted, was adopted upon Final Reading as a whole.

\* \* \* \* \*

## MISCELLANEOUS DISCUSSION

Storm Debris Update. Mr. Steve Lewis, City Manager, provided a map of the affected area impacted by the F-1 Tornado on May 6, 2015, showing the boundaries of the area where the Debris Contractor is picking up. He said the additional area between Franklin Road and Indian Hills Road had been brought to Staff's attention by the National Weather Service and had been added to the cleanup area. He provided photographs of grapple and bucket trucks collecting vegetative debris and the debris staging site north of the Water Treatment Plant. He said the first pass of debris removal is complete. He said today the crews began the second pass and with the second pass they are picking up both construction/demolition debris as well as all vegetative debris with the second pass to be completed on June 5th contingent upon the weather and what happens this week. He said the forecast for the next seven days is problematic. He requested that citizens cooperate with separating the construction debris and the vegetative debris because they are being picked up separately.

\*

Mosquito Monitoring Program. Mr. Steve Lewis, City Manager, said Staff had been receiving calls from citizens asking about the status of the Mosquito Monitoring Program and he reported that twelve traps had been distributed throughout the community and being checked on a regular basis. He said the counts had been averaging about 12-15 mosquitoes per day, but now it has increased to the threshold which prompts Staff to start spraying and if it continues past the threshold, there will be a 48 hour notice to citizens and then treatment will begin within the community. He said the entire urban community is affected which included 36th Avenue East to 36th Avenue West and Tecumseh on the north to Cedar Lane and the Canadian River on the south.

\*

Mowing in Parks. Mr. Steve Lewis, City Manager, said park mowing as well as right-of-way mowing has been delayed because staff has concentrated on storm recovery issues. He said because of the weather, crews started worked twelve-hour days trying to catch up; however, the wet conditions created issues with equipment getting stuck.

\*

Inspection of Dams. Mr. Steve Lewis, City Manager, said staff is heavily involved in monitoring the 11 dams in the community. He said some of the dams are owned by Property Owner Associations (POA), three are owned by the City, and others are owned by developers. He said the Reynolds Lake dam was breached last weekend which caused flooding on Rock Creek Road near 168th Avenue N.E., all the way to Highway 9.

\*

Railroad Washout. Mr. Steve Lewis, City Manager, said there was a washout at the Burlington Northern Santa Fe (BNSF) Railroad tracks in Purcell on Sunday, May 24th; however, rail service has been restored but it is slow.

\*

Flash Flood Update. Mr. Steve Lewis, City Manager, said some of the greatest infrastructure challenges as a result of the flash flooding are in the Lake Thunderbird Watershed. He said the Norman Fire Department responded during the rain event to at least 20 water rescues. He said the gates to the dam at Lake Thunderbird are open and will probably remain open for at least a week. He said precipitation totals from OK Mesonet from May 6th to the present reflect 22.6 inches of rain. He said at 3:00 p.m. today, the elevation at the top of the flood control pool is 1049 feet and pool elevation is 1050.50 feet with normal elevation being 1039 feet.

\*

Miscellaneous Discussion, continued:

Road Closures. Mr. Steve Lewis, City Manager, said the lake is receding and there was a lot of debris on the Little River Bridge on Alameda Drive. He said he received word about 10 minutes ago that the bridge had reopened so the debris had been removed.

As of May 6th, road closures due to high water/wash outs were as follows:

**Indian Hills Road** (East) – east of 36th Avenue N.E., pipe washed out

**Indian Hills Road** (East) – 48th Avenue N.E., west of intersection, pipe washed out, temporary repairs made May 7, 2015

**Rock Creek Road** (East) – 156th Avenue N.E. to 168th Avenue N.E., washed out (one lane wood bridge and pipe)

**108th Avenue N.E.** (East) – Indian Hills Rd to Bethel/Stella Rd, pipe washed out

**120<sup>th</sup> Ave NE** (East) – Indian Hills Rd to Franklin Rd, pipe washed out

**Franklin Rd at Little River** – between 24th Avenue N.E. and 36th Avenue N.E., bridge issues. This bridge has been closed and a detour route sign has been placed due to safety and function concerns. The consultant who completed the last bridge inspection has been contacted to inspect the bridge and provide recommendations.

As of the May 19th storm, road closures due to high water/wash outs were as follows:

**48th Avenue S.E.** – Alameda Street to Washington Elementary School, pipe washed out

**84th Avenue S.E.** – Blue Jay Road to Lindsey Street closed due to high water from Lake Thunderbird

**Lindsey Street at 80th Avenue SEE** – closed due to high water from Lake Thunderbird

**Arrowhead Drive/96th Avenue N.E.** – Tecumseh Road to Cochise Road closed due to high water from Lake Thunderbird

**Rock Creek Road (East)** – 168th Avenue N.E. to 180th Avenue N.E., road washed out (Reynolds Lake Dam breach)

As of the May 24th storm, road closures due to high water/wash outs were as follows:

**Post Oak Road** – West of 120th Avenue S.E., pipe washed out.

**Etowah Road** – 132nd Avenue S.E. to 144th Avenue S.E., road washed out

**120th Avenue N.E. (EAST)** – at Camino Real Drive, partial road washed out

**72nd Avenue N.E.** – Rock Creek Road to Tecumseh Road, closed due to high water

**Tecumseh Road** – 60th Avenue N.E. to 72nd Avenue N.E., closed due to high water

**West Bound Alameda Drive** – West of 108th Avenue N.E., closed due to high water

**156th Avenue N.E., (Peebly Road)** – north of Highway 9 closed due to high water from Lake Thunderbird

**Franklin Road** – at 91st Avenue N.E., one lane is undermined by wash out

**Franklin Road** – 36th Avenue N.E., to 48th Avenue N.E., pipe washed out

**Franklin Road** – 156<sup>th</sup> Ave NE and 144<sup>th</sup> Ave NE, road washing out south side one lane

**Post Oak Road** – West bound lane of railroad tracks washed out, partially open

**48th Avenue N.E.** – Franklin Road to Indian Hills Road, road closed, asphalt undermined on north side of bridge structure

**72nd Avenue N.E.** – Robinson Street to Alameda Street, asphalt undermined, partially open

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Infrastructure Damages and Repairs needed after Flooding. Mr. Steve Lewis, City Manager, provided photographs showing flooding at the Andrews Park Pavilion on May 6th; on May 19th, the Sutton Wilderness Dam which has water at the top of the spillway; East Tecumseh Road between 84th Avenue N.E. and 96th Avenue N.E.; 84th Avenue S.E. between Highway 9 and Blue Jay Road; Highway 9 Bridge washout westbound to I-35 southbound; on May 23rd, washed out culvert on Post Oak Road and 120th Avenue S.E.; Little River Twin Bridges on Alameda Drive over Lake Thunderbird; Hall Park Dam overtopping at spillway; breached dam at Reynolds Lake; Etowah Road between 132nd Avenue S.E. and 144th Avenue S.E.; 72nd Avenue N.E. between Robinson Street and Alameda Street; on May 26th, West Rock Creek Road, three-tenths mile west of 72nd Avenue N.W., due to Canadian River changing course; and on May 24th, Lake Thunderbird Downstream Channel. Mr. Lewis said due to the dam breach at Reynolds Lake, approximately 100 feet of Rock Creek Road will have to be repaired. He provided an overview of the damaged roads and culverts due to flooding.

He said in the past, most storm events, etc., were one to two day events but this event has been going on for a number of weeks and it is really taxing the residents of the community and the weather forecast is not looking good for the rest of the week.

Miscellaneous Discussion, continued:

Infrastructure Damages and Repairs needed after Flooding, continued. Mayor Rosenthal asked if any of the roads that have been identified in these photographs were covered by the last Disaster Relief Grant that has already been received. Mr. Lewis said there is some overlap and asked Mr. Shawn O'Leary to make a report.

Mr. Shawn O'Leary, Director of Public Works, said unfortunately there is very little overlap. He said Staff is trying to find existing funds to address the overlap but it does appear that most of the storm damage is not part of this area. He said there are 21 different locations that have a culvert, road, or bridge washout.

Mr. Lewis asked Mr. O'Leary to explain the difference in rural culverts and culverts in a residential setting because many of these rural culverts are considered bridges in some sense because they carry a large capacity of water and many are tall enough to walk through. Mr. O'Leary said many are 48-inches and 60-inches in diameter and some are 40 to 50 years old. He said the older ones were not installed under the same standards for construction as the newer ones. He said most of these culverts have served their useful life and with five flash floods in 23 days, many have probably received what engineers term a 500 year event depending on how many inches of rainfall came in a certain amount of minutes or hours.

Councilmember Miller commended staff and said they worked 24 hours a day all over Norman and it was an amazing and heroic effort. She was glad to hear the Alameda Bridge is open.

Councilmember Williams agreed and it had been amazing to watch the incredible efforts in getting our City back together. He said on Sunday he was contacted by a constituent with a concern and he contacted Mr. Lewis and the problem was taken care of immediately. He said Mr. Lewis also followed up with a call to the constituent. He said this shows the kind of perseverance and adept management of such uncontrollable situations and are all to be applauded.

Councilmember Allison said thanks for all of Staff's hard work.

Councilmember Holman said there weren't that many issues in Ward Seven, mainly the Elm Avenue and Lindsey Street intersection and Flood Avenue, which was not a surprise. He said Post Oak Road in south Norman had an issue with the roadway washing out at an entrance into a neighborhood. He said he contacted the City Manager and staff was already addressing the issue before he made contact with the property owners. He said he appreciated the quick response.

Councilmember Lang said he heard about a firefighter who lost his life rescuing someone from the water and no matter how much of a hurry a person is, it is not worth taking a chance just because they are in a hurry. He encouraged everyone to not drive through high water areas.

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Disaster Assistance. Mr. Steve Lewis, City Manager, said it had been declared that federal funding would be made available to individuals in Cleveland County, Grady County, and Oklahoma County, which is great news to those trying to recover from the flood. He said these funds could be used for temporary housing and home repairs, low cost loans to cover uninsured property losses, and other programs to help individuals. He said the City may be able to receive reimbursement for expenses from flooding, tornado cleanup, etc. He said this funding has not been awarded yet and the Federal Emergency Management Agency (FEMA) will have a team in the community Thursday, May 28th to complete their assessment and then that information will be forwarded back through the Governor's Office. He said if the City becomes eligible for public assistance, the state will be providing 12.5% in reimbursement fees and FEMA will reimburse about 75% of the expenses.

\*

Norman Forward. Councilmember Castleberry said there had been a fantastic turnout at the Norman Forward public meetings on May 20th and 21st. He said he had never seen the City Council Chambers this full for anything. He said the message was very clear, Norman residents supported a sales tax for fifteen years and want to vote on it as soon as possible. He said there are a few things that need to be addressed regarding Reaves Park and finalizing the Senior Center but they would get done. He said there were comments made about east side/west side which always disturbs him so he went back and broke down the projects for each side of town and then added Central Norman. Using the railroad tracks as the divider, 22% are on the east side of town, 40% are in Central Norman and 38% are on the west side. He said if the Central Library was moved east one block it would be 50/50. He agreed there is more that needs to be done to address the needs on the east side as that side of town continues to grow.

Miscellaneous Discussion, continued:

Norman Forward, continued. Councilmember Holman commented that Reaves Park is in his ward and as long as he is on Council, he would never support a final drawing for the park that would have an adverse or negative impact on the Medieval Fair. He said personally, he would prefer the Medieval Fair to move back to the Duck Pond but he understands that is not feasible at this time.

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Thanks to Veterans. Councilmember Castleberry said he wanted to thank everyone who wears a uniform because if they wear a uniform and protect this country, they definitely make a difference.

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Stormwater Master Plan. Councilmember Holman said the Stormwater Master Plan is very extensive and detailed and addresses all flooding issues and stormwater runoff issues in the City limits of Norman. He said the City has yet to create a dedicated funding source for it, although most cities have a Stormwater Utility fee. He encouraged all Norman residents to go online and look at the plan and see how their property is affected by it.

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Police Ride-Along. Councilmember Holman said he spent 11 hours on Saturday on a Police Ride Along and it was a very interesting day and since it was raining for most of the day, a lot of time was spent trying to navigate around the water hazards. He said he appreciated Lieutenant Smallwood for allowing him to ride along.

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ADJOURNMENT

There being no further business, Councilmember Williams moved that the meeting be adjourned, which motion was duly seconded by Councilmember Holman; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 8:15 p.m.

ATTEST:

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City Clerk

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Mayor