

## CITY COUNCIL SPECIAL SESSION MINUTES

February 17, 2015

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:00 p.m. in the Municipal Building Conference Room on the 17th day of February, 2015, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

Item 1, being:

### CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(2), TO DISCUSS NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS

Councilmember Miller moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss negotiations concerning employees and representatives of employee groups, which motion was duly seconded by Councilmember Holman; and the question being upon adjourning out of the Special Session and convening into an Executive Session in order to discuss negotiations concerning employees and representatives of employee groups, a vote was taken with the following result:

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

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into in order to discuss negotiations concerning employees and representatives of employee groups.

The City Council adjourned into Executive Session at 5:01 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Ms. Gala Hicks, Director of Human Resources; and Mr. Michael Bates, Labor Consultant, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Williams moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Miller; and the question being upon reconvening the Special Session, a vote was taken with the following result:

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

The Mayor declared the motion carried and the Special Session was reconvened at 5:35 p.m. in the City Council Multi-Purpose Room. The Mayor said negotiations concerning employees and representatives of employee groups were discussed in Executive Session. No action was taken and no votes were cast.

\* \* \* \* \*

Item 2, being:

CONTINUED DISCUSSION REGARDING PROPOSED ORDINANCE TO INCREASE FEES; IMPROVE SAFETY AND STRENGTHEN ENVIRONMENTAL STANDARDS AND CONTROLS FOR OIL, GAS AND MINERAL PRODUCTION SITES.

Ms. Susan Connors, Director of Planning and Community Development, highlighted a series of discussions the Oversight Committee has had regarding proposed oil and gas ordinance amendments to include:

- November 13, 2013: Oversight Committee discussed oil well site security;
- December 2013: Staff prepared and distributed a report to the Committee regarding the City of Norman's well site safety policy at the Committee's request;
- May 14, 2014: Oil well site security and safety was placed on the Oversight Committee agenda for further discussion. Staff presented background information on the history of the City's oil well site security and fencing language in the current code and changes to the current code language regarding fencing, screening, and security were discussed as well. The Committee discussed and supported fencing around well sites and directed Staff to draft a revised Ordinance incorporating the requested changes as well as a phasing-in period requiring older well sites to comply. The Committee also requested Staff to gather information regarding the average cost for fencing around well sites, gather information from those in the affected industry, and bring back the information to a future Council Conference;
- June 5, 2014: Staff met with industry representatives to get feedback on the proposed changes to fencing and security for oil and gas wells;
- August 26, 2014: Full Council discussed oil and gas well fencing at the Council conference and requested Staff seek additional input from oil well operators and mineral interest owners;
- September 18, 2014: Oversight Committee discussed oil and gas regulations in the Lake Thunderbird Watershed. The Committee requested Staff to meet again with industry representatives to discuss ideas and gather their feedback as well as prepare additional information regarding the following:
  - ❖ Research insurance requirements for other cities;
  - ❖ Provide specific language on location distance from ground water;
  - ❖ Spill contingency plans with permit – may consider engineering solutions in Water Quality Protection Zone (WQPZ) if meeting additional requirements;
  - ❖ Look at entire floodplain, not just floodway;
  - ❖ Consider only steel containment for tank batteries;
  - ❖ Storage of chemicals in original containers;
  - ❖ Water diversion during the drilling process; and
  - ❖ Best practices for water protection.
- October 23, 2014: Staff met with 13 companies and went page by page discussing the proposed amendments. The City of Norman's City Attorney's Office also received a Memorandum of Law from the legal representatives of Norman well operators which puts forth their view of municipal regulatory authority over the oil and gas industry. Staff from the Legal Department reviewed the Memorandum and provided a confidential memorandum to Council regarding that subject;
- November 13, 2014: Oversight Committee met and discussed proposed changes to the draft Ordinance. The Committee requested Staff to gather some additional information and make changes to the proposed Ordinance, primarily focusing on five areas to include: fencing, water testing, water quality protection zones; waivers; and insurance requirements;
- December 18, 2014: Oversight Committee discussed proposed changes to the draft Ordinance and the Committee recommended moving the draft Ordinance forward to a Study Session on January 20, 2015; and
- January 20, 2015: Full Council discussed proposed ordinance amendments at a Council Study Session and had questions regarding waivers, insurance, and water protection. Council also requested Staff meet with citizen groups.

### Waivers

Council requested Staff provide additional information regarding Finley Resources' request to allow one waiver to cover multiple well bores on the same pad within 600 feet of a dwelling or business structure, as well as whether or not the City of Oklahoma City uses a waiver process to address multiple well bores.

Oklahoma City has a waiver process for wells proposed to be located less than 300 feet from dwelling or structure for human occupancy or 600 feet from public buildings, schools, or religious buildings:

- When a well is permitted, if there are multiple well bores requested for the same well site, the waiver covers all the well bores *requested*.
- If additional well bores are requested after a permit is approved, a new waiver is required.

Item 2, continued:

Sunset provision is typically a measure in law that provides that law will cease to have effect after a certain date unless legislative action is taken to renew the law:

- Case law indicates that implementing a sunset provision on existing waivers may create property right issues.
- As to a sunset provision on future waiver, it may be difficult to defend a restriction on a property owner's rights to waive the ordinance provision because of the argument such a restriction was not intended to protect health, safety, or welfare of citizenry, (rather to protect private property values).

Councilmember Jungman asked Staff if they are suggesting the sunset complication means the waiver has to be permanent and, if so, do all cities issue permanent waivers like this? Ms. Leah Messner, Assistant City Attorney said this is the City of Oklahoma City's (OKC) process, i.e., OKC has a waiver process and one waiver will cover multiple well bores, if multiple bores are requested on the initial permit. She said if additional bores are requested after the initial permit, an additional waiver must be requested for that bore.

Councilmember Jungman asked whether the proposed ordinance states "a new permit would not need a new waiver", i.e., the "old" waiver for well bores would apply to both the current permit (at the time the waiver was initially received) and all future well bores. Ms. Messner said yes, that is how the City of Fort Worth handles their permits and waivers as well as including a requirement to record the waiver in the property records and that is what is included in the draft ordinance.

Councilmember Jungman said he is concerned with the fact that a person from 30 years ago can submit a permanent waiver for a well bore; therefore, the person not only waived the conventional bores, but also the horizontal bores that are acceptable with new technology. He said if a waiver is permanent the waiver may cover future technology for boring that does not exist today, whether that is 10 years, 20 years, or 50 years. Mr. Bryant said that is correct as currently written; however, OKC's process for oil and gas permits requires the applicant to list the number of well bores on the permit. He said under OKC's process, if new technology is discovered and the applicant would like to drill additional bores after the initial request, the applicant must request a new waiver that will include the number of well bores to be drilled. Councilmember Jungman felt Norman should do waivers for well bores the same way OKC does, not Fort Worth and Mr. Bryant said Staff thought the issue was whether or not once the waiver is done can the City put a sunset provision on the waiver? Councilmember Jungman said he previously mentioned "sunset" because it made sense to him at the time.

Mr. Bryant said it is legally difficult to regulate for health and safety reasons but this appears to be more about regulation for property values. Councilmember Jungman felt a waiver should not be permanent because over the course of decades, technology can change and Norman will only get more compact/compressed, not smaller. Councilmember Castleberry said once a property right is granted that property right cannot be taken back from someone and Councilmember Jungman said that is just what OKC does. Councilmember Castleberry disagreed, stating only if an applicant would like to get an additional well. Councilmember Jungman said OKC does, because if you live in OKC and request additional well bores on a well pad that has already drilled the number of well bores listed on the *initial* permit you must obtain a new waiver.

Mr. Bryant said a new bore with a different hole will require a new oil and gas permit in OKC. As to the waiver (on well bores) the number of well bores is listed on the initial permit. For example: If an applicant is granted five (5) well bores; only one (1) well bore is drilled using current technology and no other well bores are drilled. Ten (10) years pass and meanwhile, during the 10 year time period, new technology has been discovered. The applicant can still drill four (4) well bores because they were granted a total of five (5) well bores on the initial permit and waiver. Mr. Bryant said regardless of the number of years in-between the well bores, the initial number of well bores is covered under the initial permit and waiver. He said if the applicant would like to drill additional well bores after the initial requested five (5) well bores, the applicant must obtain a NEW permit and a NEW waiver. Councilmember Jungman said that made sense to him because the applicant waived five (5) well bores and therefore, the waiver is not permanent.

Councilmember Jungman and Mayor Rosenthal asked if the current proposed ordinance is for "unlimited bores?" Mr. Bryant said yes, the proposed draft is for unlimited well bores such as the Fort Worth process, but now he thinks is hearing the majority may like to mirror OKC's well bore waiver, i.e., allowing only a specified number of well bores as requested on the initial oil and gas permit. Mayor Rosenthal said yes, but felt additional discussion and input from Council was needed. She asked Council for their input regarding OKC's permit and waiver process. Mayor Rosenthal felt it would be appropriate to follow up the waivers with the notice of filing requirement. She said it appears there is Council consensus to emulate Oklahoma City's ordinance, but include the notice of filing.

Item 2, continued:

Ms. Connors said it is important to remember that waivers are from property owners and well permits are from the OCC. She said well permits typically expire after six months, or on occasion, after one year; and if they expire the applicant would need to reapply with the City and re-notify any adjacent property owners. Councilmember Jungman asked Staff whether the City would re-notify adjacent property owners even if they already waived and Ms. Connors said re-notification would occur because of the new permit application.

Councilmember Castleberry said an applicant could attain a permit and theoretically obtain as many waivers as they can for well bores, even if they decide not to do as many well bores as they listed on the initial permit and Ms. Connors said that is correct. She stated to keep in mind the permits are issued by OCC and the City, but the waivers are obtained from the property owners. Mr. Bryant said the negotiations for well bore waivers are done between the oil well operators and property owners. Mayor Rosenthal felt this process would make the person(s) who is signing the waiver much more aware of the potential magnitude of drilling activity that can go on adjacent to them and Councilmember Jungman said it would not be adjacent to them, but rather on their property. Councilmember Jungman said adjacent property owners could also sign a waiver and Councilmember Miller said yes, a waiver for the 600 foot requirement, but not for the number of well bores on a well site that is not located on their property or even adjacent to their property. Councilmember Miller felt separating the different types of waivers within the ordinance would make it clearer, i.e., 600 foot requirement; number of well bores; and water well testing.

Chairman Jungman asked Staff for clarification on placement of tank batteries, specifically, can oil and gas companies place a tank battery inside the 600 feet without a waiver from the adjacent property owner and Ms. Connors said the proposed ordinance states a tank battery cannot be placed within 600 feet from a habitable structure.

#### **Water Protection**

Ms. Connors said several comments were made at the January 20, 2015, Study Session regarding the proposal to prohibit drilling within the mapped Stream Planning Corridors. A Stream Planning Corridor (SPC) is defined in Chapter 19, Section 19-210 as: the areas of land designated as a SPC in Exhibit 4-4 of the Storm Water Master Plan dated October 2009, along both sides of a stream or natural drainage corridor that encompasses the area projected to be inundated by the one-percent chance flood event (i.e., the one-hundred-year floodplain) in any given year assuming full build-out watershed conditions (based upon the Norman 2025 Plan and subsequent updates) in those areas with 40 or more acres of drainage area in the Lake Thunderbird watershed. Ms. Connors said these areas vary in width from 70 feet at the narrowest point to 2,900 feet at the widest point.

Ms. Connors said Chapter 19 also contains setback standards from the top of the bank in the Water Quality Protection Zone (WQPZ) areas for land uses or activities that pose a water pollution hazard to include storage of hazardous substances (300 feet) and above ground or underground petroleum storage facilities (300 feet). She said the draft ordinance has been amended to require drilling activities be set back 300 feet from the top of the bank or outside of the stream planning corridor, whichever distance is closer. A map depicting an example of how such an amendment might impact oil and gas activities was provided to Council and Ms. Connors said such an amendment will provide greater watershed protection.

Councilmember Miller said she is concerned about the water testing waiver. If an owner chooses to waive their right to have their water well tested, then how can it be assured that their well is not contaminated. She understands that domestic wells are not drilled into the Garber Wellington Aquifer; however, there is still a lot of water running and/or seeping through all of the rock, possibly endangering other water wells in the area. Mr. Bryant said the City Utilities Director explained to him that because of the separation between the Garber Wellington Aquifer and distance of private domestic water wells there is no danger in contaminating the public water supply. He said there is the possibility of contamination of other domestic water wells in the area; however, it would be difficult to enforce a City regulation on a private water supply. Councilmember Miller said she understands the issues but it would be nice to educate private/domestic water well owners of their responsibility. Councilmember Jungman said he is concerned about person(s) who waive their water tests and Mayor Rosenthal said the City cannot force citizens to test their domestic private water wells. She said water tests are an available tool if citizens choose to use it and possibly the City could draft a brochure outlining the benefits of having water wells tested.

Item 2, continued:

### **Insurance**

Council requested additional insurance information, specifically the amount of increase in premium between a \$1 million pollution coverage policy and a \$5 million policy. Staff talked with an insurance provider that writes these types of policies and was advised that a \$1 million pollution policy coverage is pretty standard in the industry.

Ms. Connors said the insurance provider also advised that pollution coverage is designed to cover sudden and accidental claims when the date of the pollution event is known; however, it would not cover an ongoing leak that was not discovered for a significant period of time. As such, it would be very unlikely for a pollution coverage claim to exceed \$1 million.

Staff said the insurance provider advised that operators have to purchase pollution coverage for all wells that they operate at the same coverage level; therefore, if an operator had one well in the City of Norman and ten wells in neighboring jurisdictions, the pollution coverage would have to be purchased at \$5 million for all the wells (should the City of Norman adopt such an increase), resulting in a higher cost to the operators. It is estimated that an operator with a handful of wells might expect to pay \$1,000 to \$2,000 in premiums for a \$1 million pollution policy and \$5,000 to \$7,500 in premiums for a \$5 million pollution policy.

Councilmember Castleberry asked for clarification as to whether the pollution coverage policy would cover slow leaks and Staff said no, only sudden accidental claims would be covered under the pollution coverage policy. Councilmember Jungman asked who or which coverage would cover slow leaks and Staff said it would be covered under the operator's liability insurance coverage which is also a \$1 million policy.

Councilmember Jungman said a pollution policy does not cover an incident when a proactive leak is not initially discovered but rather occurs over time; however, nonetheless, the incident pollutes the lake and Staff said that is correct. Councilmember Jungman said that seems strange to him and Staff said this is the information gathered by the insurance agent, stating the agent said pollution insurance is a very specific type of coverage. Mr. Bryant said most general liability policies include seepage coverage; therefore, leaks/spills over time are typically covered under liability policies. He said catastrophic (pollution) events are covered under the pollution policy.

Councilmember Castleberry asked how many well leaks have occurred in the City of Norman to date and Staff said none. Councilmember Jungman raised concerns regarding insurance coverage and Mayor Rosenthal felt there was a need to clarify general liability coverage(s). She said there is no reference to general liability insurance in our current ordinance and the language used seems to imply a policy or policies covering seepage or pollution in an amount not less than \$1 million for each occurrence.

Councilmember Miller asked Staff how the \$125,000 bodily injury amount per person, per accident, came about and Mr. Bryant said that is the cap under the governmental Tort Claims Act for City liability. Councilmember Jungman understands it would cost oil and gas well operations more for a \$5 million policy and he does not want the higher amount to be paid if it is not needed. He felt if a well is put out of business due to paying \$200 dollars per month for insurance then probably the well was imposing greater costs on the community with the risk than with the benefit. Mr. Bryant said it may be helpful for Staff to bring in an insurance agent to address Council's questions regarding general liability coverage policies versus pollution coverage policies if Council so desired.

### **Gathered Feedback**

#### *From Oil and Gas Operators*

Baron Exploration and Edinger Engineering, both local operators, sent letters expressing their concerns and Staff recommends the following:

1. Only require testing of Oklahoma Water Resource Board (OWRB) permitted water wells;
2. Clarify intent of the ordinance is to be prospective; and
3. Tracer wire is only required for non-steel lines.

#### *From Interested Citizens*

Staff met with members of Central Oklahoma Clean Water Coalition (COCWC) on January 29, 2015, and Staff recommends the following:

1. Change punctuation in Section 13-1501 for consistency;
2. Add language regarding minimizing light spillover, noise, dust, and odors; and
3. Amending Section 13-1508 (Fencing) to measure from "well bore" instead of "well site".

Item 2, continued:

Councilmember Jungman asked Staff to clarify fencing requirements and Ms. Leah Messner, Assistant City Attorney, said the fencing measurement would begin at the well bore and the well bore cannot be located less than 600 feet from a house or dwelling. Councilmember Jungman asked if a tank battery could be closer than 600 feet and Ms. Messner said no, the ordinance also requires the tank battery to be no less than 600 feet from a house or dwelling.

#### Additional Staff Comments

Sections 13-1505 and 13-1502 are proposed to be amended to ensure regulations remain in the ordinance for existing well sites or for wells being drilled during a 30 day window between adoption of ordinance and the effective date. The amendment relates to earthen pits and berms. The Oil and Gas Inspector will conduct two (2) official inspections per year and the inspection form will be posted on the City of Norman website.

Councilmember Jungman asked whether earthen pits will or will not be allowed going forward and Ms. Connors said if Council adopts the proposed ordinance, earthen pits will not be allowed going forward, except for the existing well sites and for wells being drilled during the 30 day window between adoption and effective date.

#### **Status of Proposed State Legislation**

Currently there are eight (8) bills that have been introduced at the State Legislature regarding municipal authority to regulate oil and gas activities. Two of the bills that seem to be receiving the most attention and are more likely to move forward towards adoption and are fairly similar in that both propose to preempt municipalities from prohibiting or banning the drilling, completing, fracture stimulating or operation of oil and gas wells or water disposal wells.

- Senate Bill (SB) 809 by President Pro Tem Bingman provides for the Corporation Commission to review and decide whether city ordinances are consistent with Corporation Commission rules.
- House Bill (HB) 2178 by House Speaker Hickman provides for an appeal to District Court.

At request of the Oklahoma Municipal League (OML), the City Attorney's Office prepared some comments regarding these two proposed bills.

#### Senate Bill 809

First, SB 809 allows municipalities to enact ordinances relating to the local aspects of oil and gas operations. It also states that municipalities cannot ban oil and gas operations but can enact reasonable setbacks. These two sections appear to be in conflict with each other – "ordinances relating to the local aspects of oil and gas operations" might include noise, health and safety, or zoning related restrictions on drilling, not merely setbacks. The City is considering ordinances regarding surface operations, fencing, water testing, and drilling in watershed areas that the City believes are all important health and safety concerns and an important reason why cities should retain local control over these issues.

Second, SB 809 incorporates a legal standard that appears to allow less stringent review of actions of legislative bodies. If a legislative decision by a municipality has a substantial relationship to the public health, safety, morals, or general welfare, and does not constitute an unreasonable, arbitrary exercise of police power, the municipality's legislative judgment will not be overridden by the district court. *Sand Springs Materials, LLC v. City of Sand Springs*, 243 P. 3d 768 (Okla. Civ. App. 2010). If the proposed state legislation moves toward adoption, the City Attorney's Office recommends that review of municipal ordinances regulating oil and gas operations be subject to review under well-established legal standards.

Third, SB 809 gives the Oklahoma Corporation Commission (OCC) the authority to determine whether a municipal ordinance is reasonable and consistent with OCC regulations. The City Attorney's Office has some concerns with that provision. As a new practice or procedure, there would not be a developed body of laws available to guide the parties. Such a new procedure would create uncertainty and unpredictability on how such matters might be resolved as opposed to a District Court appeal. The City Attorney's Office has recommended that the District Court remain the avenue for appeals of City ordinances in this area using the standard of "fairly debatable" mentioned above. It is recommended that the language regarding review of City legislature acts by the OCC be removed from the legislation.

HB 2178 specifically prohibits municipalities from regulating "exploration, drilling, fracture stimulation, completion, production, maintenance, plugging and abandonment, produced water disposal, or secondary recovery operations". The proposed ordinance amendments that the Norman City Council is considering do not seek to ban oil and gas operations within the City limits. Rather, Council is seeking to implement ordinances that require health, safety and environmental protections. The City Attorney's Office recommends that the Legislature consider a bill that would continue to allow municipalities to regulate how and where oil and gas drilling may occur within the City of Norman so long as those regulations pertain to matters of local concern and are not inconsistent with OCC rules and regulations.

Item 2, continued:

The amendments for SB 809 and HB 2178 proposed by the City Attorney's Office have been developed with cooperation and input from Mr. Terry Stowers, a local oil and gas attorney who primarily represents land owners and mineral owners. City Attorneys for Stillwater and Oklahoma Municipal League (OML) representatives have also reviewed and support the language. The City Attorney for Stillwater has added two (2) provisions to include 1) notice of new wells from OCC and, 2) authority to regulate local aspects of drilling activities up to one-fourth mile outside municipal limits. The OML Board will formally consider amendments at their March, 2015 meeting.

Mr. Bryant said Staff is working with lobbyists who are working with legislators who offered the bills, as well as other cities and OML. He said one of the big issues is related to setbacks and the legislature would like unified setbacks state-wide. He is concerned if cities do not work with the oil and gas industry, the cities could end up with a pre-emption bill. Mr. Bryant said he hopes Norman can be used as an example to legislature showing how the oil and gas industry and local communities can work together to create regulations and allow the ability for local control that would further justify passing this type of bill.

Mayor Rosenthal said the approach and work to date has been to listen to all concerns and reach the right balance with respect to responsible regulations that also recognize the industry concerns as well as community concerns which have primarily focused on water quality issues. She felt the more appropriate approach is to continue to show that local control is important because municipalities have studied the issues and can make responsible, informed decisions.

Councilmember Miller asked whether Council should table the proposed oil and gas ordinance discussions until after the State legislature process is over. Mr. Bryant said there is Council consensus on most of the issues discussed tonight. He said if Council adopted the draft ordinance with the proposed setbacks as is, and State legislature passes a pre-empted bill, Council will have to come back and do an ordinance amendment to mirror state regulations. He said another possibility to consider is that it might be offensive to some if Council adopts the draft ordinance without waiting to see what the State does first. Mayor Rosenthal felt since Council has requested more work from Staff on insurance and once information is received from Staff, Council can continue the oil and gas ordinance discussions and see where the State legislature deliberations are at that time. Councilmember Castleberry and Miller agreed with Mayor Rosenthal's approach and time table.

Councilmember Miller respects the time and research that Staff has taken on this issue as well as the time that the Mayor has taken to work with OML. She said the City can currently protect our water supply; however, she is concerned that at some point future build-outs will impact more and more people as well as Norman's water supply more so than build-outs have in the past. Councilmember Miller said a recent article in the newspaper said the Southwest is predicted to be in a 20 year drought and water will be a huge issue. She said she is all for working with the Legislature, but Norman needs to figure out way(s) to protect our City. Mayor Rosenthal agreed and felt it is very important for constituents to be in communication with their State legislature.

Councilmember Jungman said he would like Council to consider adopting a resolution similar to the resolution adopting the recent legislation on election issues. He stated he is not against fracking and a resolution may reflect that the City is not against fracking, but that this issue is a health and safety issue and better controlled at the local level. Mr. Bryant said he is hesitant to a resolution approach until he touches base with OML and lobbyist groups. He said it can be a very delicate matter when trying to get the eight (8) bills that have been introduced at the State Legislature dropped so that the focus is mainly on two (2) manageable bills as they relate to municipal issues, which is the ultimate goal.

Councilmember Holman asked whether the City of Stillwater is planning to slow down or move ahead full steam and Mayor Rosenthal said Stillwater cancelled their meeting the night before and rescheduled it for some time in March, 2015, because of proposed draft language recommended by their Planning Commission that their Council would not support. She felt Stillwater will slow down the process and also rethink some of the draft proposals.

Councilmember Holman said he is concerned about delaying the fencing regulations because he had a constituent bring fencing issues to him nearly two (2) years ago and if adopted, the well operator will have an additional one (1) year from the effective date to come into compliance. He asked Staff if the legislature had issues with the fencing requirements and Mr. Bryant said not so much the fencing itself, but who would build and/or maintain the fencing.

Item 2, continued:

Items submitted for the record

1. Memorandum dated February 13, 2015, from Susan Connors, Director of Planning and Community Development, and Leah Messner, Assistant City Attorney, to Honorable Mayor and Councilmembers
2. Legislatively notated draft Ordinance amending Article XV, Sections 13-1501 through 13-1523 of Chapter 13 of the Code of the City of Norman
3. State of Oklahoma, 1st Session of the 55<sup>th</sup> Legislature (2015), Senate Bill 809 by: President Pro Tem Bingman, dated January 22, 2015
4. House of Representatives – Floor Version, State of Oklahoma, 1st Session of the 55<sup>th</sup> Legislature (2015), House Bill 2178 by: House Speaker Hickman, dated February 10, 2015
5. City of Norman Revisions following discussions with Terry Stowers, Senate Bill 809 by: Bingman, dated February 6, 2015
6. City of Norman Revisions following discussions with Terry Stowers, House Bill 2178 by: Hickman, dated February 6, 2015
7. Map of the City of Norman, Stream Planning Corridor & Stream Buffer Corridor
8. PowerPoint presentation entitled, “Proposed Amendments to Oil and Gas Ordinance,” Norman City Council, dated February 17, 2015

ADJOURNMENT

The meeting adjourned at 6:47 p.m.

ATTEST:

---

City Clerk

---

Mayor