

NORMAN ELECTION COMMISSION MINUTES

January 7, 2013

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 7th day of January, 2013, at 3:00 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

MEMBERS PRESENT:

Robin Allen  
Richard Hilbert  
Elizabeth Windes  
Ty Hardiman, Chairman

MEMBERS ABSENT:

Nina Flannery

OTHERS PRESENT:

Brenda Hall, City Clerk

**Item 2. Approval of minutes from the August 27, 2012, meeting.** Member Hilbert moved that the minutes from the August 27, 2012, meeting be approved, which motion was duly seconded by Member Allen; and the question being upon approving the minutes from the August 27, 2012, meeting, a vote was taken with the following result:

YEAS:

Members Allen, Hilbert, Windes, and Chairman Hardiman

NAYES:

None

Chairman Hardiman declared the motion carried and the minutes from the August 27, 2012, meeting were approved.

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**Item 3. Election of Chair and Vice-Chair.**

Ty Hardiman was elected as Chair and Richard Hilbert was elected as Vice-Chair by acclamation.

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**Item 4. Consideration and discussion of candidate packet materials and possible modifications, if needed.**

Members reviewed the Candidate Orientation Manual materials to be provided to candidates prior to the orientation session.

Chairman Hardiman said a candidate packet will be distributed to each candidate or affected party such as a citizen's committee or candidate representative. He highlighted the various sections of the packet and said it is the same material that was included in last year's manual with updated report filing dates. He discussed each section of the packet and the Committee made minor changes to portions of the information provided.

Election Commission Membership List – This list will be included in the front of the manual. Members asked that the Public Service Announcement developed by Dr. Hilbert two years ago be included in the manual behind the roster.

Frequently Asked Questions – Ms. Hall said two questions were added to the FAQ to clarify reporting criteria for committees supporting or opposing a candidate.

Political Signs Regulations – Chairman Hardiman recommended language be added to the Political Signs flyer to clarify illegally placed signs may be removed by the City and disposed of without notice.

Campaign Contribution and Expenditure Report – Ms. Hall said the reports have been updated to include in-kind contributions in the grand total of all contributions as discussed by the Commission. She said all report forms have been updated on the City's website as well.

Items submitted for the record

1. Norman Election Commission 2013 Campaign Manual including Commission Member List; Norman Election Commission Agenda; Norman Election Commission Minutes; Requirements for Filing; Report Due Dates; Instructions for Completing Reports; Frequently Asked Questions; Political Sign Regulations; City Campaign Report Forms; State Campaign Reporting Requirements; State Frequently Asked Questions; and State Campaign Report Forms

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**Item 5. Discussion of the process for the Candidate Orientation Session and the subsequent scheduling of the session.**

Chairman Hardiman said the next meeting will be the Orientation Session for candidates which is tentatively scheduled for Wednesday, Monday, January 28, 2013, and staff will follow-up with the Commission via email once the date is finalized.

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**Item 6. Miscellaneous Discussion.**

None.

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**Item 7. Adjournment.**

Member Windes moved that the meeting be adjourned, which motion was duly seconded by Member Hilbert; and the question being upon adjourning the meeting, a vote was taken with the following result:

YEAS:	Members Allen, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the meeting be adjourned at 2:35 p.m.

March 25, 2013

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 25th day of March, 2013, at 2:05 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

**Item 1. Roll Call.** City Clerk Hall called the roll.

MEMBERS PRESENT:

Robin Allen  
Nina Flannery  
Richard Hilbert  
Elizabeth Windes  
Chairman Hardiman

MEMBERS ABSENT:

None

STAFF PRESENT:

Brenda Hall, City Clerk

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**Item 2. Approval of minutes from the January 7, 2013, meeting.** Tabled until April 1, 2013.

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**Item 3. Consideration and acceptance of Candidates' Campaign Contributions and Expenditures Reports.**

**Friends of Cindy Rosenthal**

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of Cindy Rosenthal be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of Cindy Rosenthal, a vote was taken with the following result:

YEAS:

Members Allen, Flannery, Hilbert, Windes,  
and Chairman Hardiman

NAYES:

None

Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of Cindy Rosenthal was accepted.

*Donations from Friends of Jackie Farley campaign account will require Ms. Farley to file the appropriate reports. City Clerk Hall will contact Ms. Farley accordingly.*

Item 3, continued:

**Friends of Cindy Rosenthal, continued:**

Member Hilbert moved that the State campaign contribution and expenditure report for Friends of Cindy Rosenthal be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Friends of Cindy Rosenthal, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Friends of Cindy Rosenthal was accepted.

*Donations from Friends of Jackie Farley campaign account will require Ms. Farley to file the appropriate reports. City Clerk Hall will contact Ms. Farley accordingly.*

\*

**Tom Sherman for Mayor 2013**

Member Hilbert moved that the City campaign contribution and expenditure report form for Tom Sherman for Mayor 2013 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013 accepted.

*The contribution list was attached to Mr. Sherman's report in two formats, i.e., date received and contribution amount. Due to confusion regarding duplicate donations, one of the lists will be removed from the online report.*

Item 3, continued:

**Tom Sherman for Mayor 2013, continued:**

Member Hilbert moved that the State campaign contribution and expenditure report for Tom Sherman for Mayor 2013 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Tom Sherman for Mayor 2013, vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Tom Sherman for Mayor 2013 accepted.

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**David Kempf for Mayor**

Member Hilbert moved that the City campaign contribution and expenditure report for David Kempf for Mayor be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for David Kempf for Mayor, vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for David Kempf for Mayor.

*Question was raised why the self-loan amount did not cover the total expenditures. City Clerk Hall indicated the expenditure included both paid and encumbered and the self-loan simply indicated the total amount paid to date.*

Member Hilbert moved that the State campaign contribution and expenditure report for David Kempf for Mayor be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

Item 3, continued:

**David Kempf for Mayor**

and the question being upon accepting the State campaign contribution and expenditure report for David Kempf for Mayor, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
NAYES:	None

Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for David Kempf for Mayor was accepted.

\*

**Roger Gallagher for Ward 1**

Member Hilbert moved that the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Roger Gallagher for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Windes, Chairman Hardiman
NAYES:	None

Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 was accepted.

Member Hilbert moved that the State campaign contribution and expenditure report for Roger Gallagher for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Roger Gallagher for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Windes, Chairman Hardiman
NAYES:	None

Item 3, continued:

**Roger Gallagher for Ward 1, continued:**

Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Roger Gallagher for Ward 1 was accepted.

\*

**Greg Heiple for Ward 1**

Member Hilbert moved that the City campaign contribution and expenditure report for Greg Heiple for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Greg Heiple for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Windes, Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Greg Heiple for Ward 1 was accepted.

*City Clerk Hall will contact Mr. Heiple regarding occupations omitted for some of the contributors.*

Member Hilbert moved that the State campaign contribution and expenditure report for Greg Heiple for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Greg Heiple for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Windes, Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Greg Heiple for Ward 1 was accepted.

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Item 3, continued:

**Castleberry for Ward 3**

Member Hilbert moved that the City campaign contribution and expenditure report for Castleberry for Ward 3 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Castleberry for Ward 3, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Windes, Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Castleberry for Ward 3 were accepted.

Member Hilbert moved that the State campaign contribution and expenditure report for Castleberry for Ward 3 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Castleberry for Ward 3, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Windes, Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Castleberry for Ward 3 was accepted.

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**Benjamin Carter**

The question was raised whether a report was needed from Benjamin Carter who withdrew from the election for Ward 3 Councilmember. City Clerk Hall said she had not been able to reach Mr. Carter, but a report will be required and she will follow-up with him.

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Item 3, continued:

**Friends of David Spaulding**

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of David Spaulding be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of David Spaulding, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of David Spaulding was accepted.

Member Hilbert moved that the State campaign contribution and expenditure report for Friends of David Spaulding be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Friends of David Spaulding, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Friends of David Spaulding was accepted.

*Questions were raised whether expenditures to the National Rifle Association and Wallbuilders/Pro Family Conference were legal expenditures under the statute. Ms. Eve Spaulding, agent for the candidate, stated she contacted the State Ethics Commission and they indicated the expenditures were legal. City Clerk Hall said if the Commission desires, the questions could be forwarded to the Legal Department for response and the Commission agreed that it should be forwarded. Additionally, the expenditure for the filing fee will be corrected to read Cleveland County Election Board opposed to Republic Bank.*

Item 3, continued:

**Lynne Miller for Norman City Council Ward 5**

Member Hilbert moved that the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 was accepted.

*City Clerk Hall will contact Ms. Miller regarding occupations omitted for some of the contributors as well as addresses for the in-kind donations.*

Member Hilbert moved that the State campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 was accepted.

Item 3, continued:

**Linda Lockett for Ward 7**

Member Hilbert moved that the City campaign contribution and expenditure report for Linda Lockett for Ward 7 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Linda Lockett for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Linda Lockett for Ward 7 was accepted.

*City Clerk Hall will contact Ms. Lockett regarding occupation omitted for Kay Wood.*

Member Hilbert moved that the State campaign contribution and expenditure report for Linda Lockett for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Linda Lockett for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Linda Lockett for Ward 7 was accepted.

Item 3, continued:

**Holman for Ward 7**

Member Hilbert moved that the City campaign contribution and expenditure report for Holman for Ward 7 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Holman for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Holman for Ward 7 was accepted.

*City Clerk Hall will contact Mr. Holman regarding occupations omitted for some of the contributors.*

Member Hilbert moved that the State campaign contribution and expenditure report for Holman for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 22, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Holman for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, Windes, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Holman for Ward 7 was accepted.

**Item 4. Miscellaneous Discussion.**

Ms. Joy Hampton, The Norman Transcript, said she had received inquiries that Councilmember Kovach may have violated the Charter in respect to his work with the Tom Sherman for Mayor 2013 Candidate Committee and asked whether the Norman Election Commission had reviewed that. City Clerk Hall said potential violations of the Charter do not fall under the purview of the Norman Election Commission. Proposed Charter violations are filed and reviewed through the District Attorney's Office; however, her comments would be forwarded to the Legal Department.

The next meeting is scheduled for April 1, 2013, at 2:00 p.m., to review supplemental City reports.

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**Item 5. Adjournment.**

Chairman Hardiman declared the meeting adjourned at 3:38 p.m.

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NORMAN ELECTION COMMISSION

April 1, 2013

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 1st day of April, 2013, at 2:05 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

**Item 1. Roll Call.** City Clerk Hall called the roll.

MEMBERS PRESENT:

Robin Allen  
Nina Flannery  
Richard Hilbert  
Chairman Hardiman

MEMBERS ABSENT:

Elizabeth Windes

STAFF PRESENT:

Brenda Hall, City Clerk

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**Item 2. Approval of minutes from the January 7, 2013, meeting.** Member Hilbert moved that the minutes, as corrected, from the January 7, 2013, meeting be approved, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. Norman Election Commission Minutes from January 7, 2013

and the question being upon approving the minutes, as corrected, from the January 7, 2013, meeting, a vote was taken with the following result:

YEAS:

Members Allen, Flannery, Hilbert, and  
Chairman Hardiman

NAYES:

None

Chairman Hardiman declared the motion carried and the minutes, as corrected, from the January 7, 2013, meeting were approved.

*Minutes will be corrected to change the name Member Flannery moved adjournment to Member Windes.*

**Approval of minutes from the March 25, 2013, meeting.** Member Hilbert moved that the minutes from the March 25, 2013, meeting be approved, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. Norman Election Commission Minutes from March 25, 2013

Item 2, continued:

and the question being upon approving the minutes from the March 25, 2013, candidate orientation session, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the minutes from the March 25, 2013, meeting were approved.

*Minutes will be corrected to clarify questions regarding expenditures on the Friends of David Spaulding report be forwarded to the Legal Department for response.*

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**Item 3. Consideration and acceptance of Candidates' Campaign Contributions and Expenditures Reports.**

**Friends of Cindy Rosenthal**

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of Cindy Rosenthal be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of Cindy Rosenthal, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of Cindy Rosenthal was accepted.

*City Clerk Hall will contact Ms. Rosenthal regarding the occupation for Debby Burns omitted from the report.*

Item 3, continued:

**Tom Sherman for Mayor 2013**

Member Flannery moved that the City campaign contribution and expenditure report form for Tom Sherman for Mayor 2013 be accepted, which motion was duly seconded by Member Hilbert;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013 accepted.

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**David Kempf for Mayor**

Member Hilbert moved that the City campaign contribution and expenditure report for David Kempf for Mayor be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for David Kempf for Mayor, vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for David Kempf for Mayor.

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**Roger Gallagher for Ward 1**

Member Hilbert moved that the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013



Item 3, continued:

**Roger Gallagher for Ward 1, continued:**

and the question being upon accepting the City campaign contribution and expenditure report for Roger Gallagher for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 was accepted.

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**Greg Heiple for Ward 1**

Member Hilbert moved that the City campaign contribution and expenditure report for Greg Heiple for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Greg Heiple for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Greg Heiple for Ward 1 was accepted.

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**Castleberry for Ward 3**

Member Hilbert moved that the City campaign contribution and expenditure report for Castleberry for Ward 3 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Castleberry for Ward 3, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Castleberry for Ward 3 were accepted.

Item 3, continued:

**Benjamin Carter**

Member Hilbert moved that the City campaign contribution and expenditure report for Benjamin Carter be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Benjamin Carter, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Benjamin Carter was accepted.

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**Friends of David Spaulding**

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of David Spaulding be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of David Spaulding, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of David Spaulding was accepted.

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Item 3, continued:

**Lynne Miller for Norman City Council Ward 5**

Member Hilbert moved that the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 was accepted.

*City Clerk Hall will contact Ms. Miller regarding clarification of the for David Collins.*

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**Linda Lockett for Ward 7**

Member Hilbert moved that the City campaign contribution and expenditure report for Linda Lockett for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Linda Lockett for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Linda Lockett for Ward 7 was accepted.

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Item 3, continued:

**Holman for Ward 7**

Member Hilbert moved that the City campaign contribution and expenditure report for Holman for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Holman for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Holman for Ward 7 was accepted.

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**Friends of Jackie Farley**

Member Hilbert moved that the City campaign contribution and expenditure report for Friends of Jackie Farley be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of Jackie Farley, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Friends of Jackie Farley was accepted.

*City Clerk Hall will contact Ms. Farley to correct expenditure noted for Friends of Jackie Farley to Friends of Cindy Rosenthal.*

Item 3, continued:

**Friends of Jackie Farley**

Member Hilbert moved that the State campaign contribution and expenditure report for Friends of Jackie Farley be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Friends of Jackie Farley, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Friends of Jackie Farley was accepted.

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**Red Earth Group – Sierra Club**

Member Hilbert moved that the City campaign contribution and expenditure report for Red Earth Group be postponed until the next meeting to correct expenditures, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon postponing the City campaign contribution and expenditure report for Red Earth Group until the next meeting to correct expenditures, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
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NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Red Earth Group was postponed until the next meeting to correct expenditures.

Item 3, continued:

**Red Earth Group – Sierra Club**

Member Hilbert moved that the State campaign contribution and expenditure report for Red Earth Group be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Red Earth Group, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
-------	------------------------------------------------------------

NAYES:	None
--------	------

Chairman Hardiman declared the motion carried and the State campaign contribution and expenditure report for Red Earth Group was accepted.

\*

**Better Norman Advocates, Inc.**

Member Hilbert moved that the City campaign contribution and expenditure report for Better Norman Advocates, Inc., be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed March 29, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Better Norman Advocates, Inc., a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Hilbert, and Chairman Hardiman
-------	------------------------------------------------------------

NAYES:	None
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Chairman Hardiman declared the motion carried and the City campaign contribution and expenditure report for Better Norman Advocates, Inc., was accepted.

*State reports still need to be filed for Better Norman Advocates, Inc.*

\*

**Item 4. Miscellaneous Discussion.**

City Clerk Hall the final reports are due on May 23, 2013, unless there is a run-off in the Mayoral race, which would require reports for the run-off to be filed on May 3, 2013. She said the Municipal Election Report is due to Council within 30 days of the Municipal Election which would require the report be included on the April 23, 2013, Council agenda to meet that timeframe. She said he report would need to be completed no later than April 16, 2013, for inclusion on the April 23<sup>rd</sup> Council agenda.

Ms. Mary Francis, 850-C Cardinal Creek Condos, registered official complaints against Better Norman Advocates, Inc., Tom Kovach, and Norman Chamber of Commerce related to their activity in the Council races.

Better Norman Advocates, Inc.

She stated one of the mail pieces for Better Norman Advocates did not have the "Paid for by" tag line, which is a violation of State statute. Ms. Francis cited Sec. 7.5-27(c) of the City Code of Ordinances and felt it was the duty of the Norman Election Commission (NEC) to determine if this is a willful violation of State Election laws and if so, forward a recommendation of such to the District Attorney's Office. Ms. Francis also felt the encumbrance of expenditures related to the mailers would have been known prior to March 22, 2013, when the first Campaign Contribution and Expenditure Reports were due and the Committee should have been subject to filing a report on that day. She said Better Norman Advocates, Inc., registered with the Secretary of State on March 20<sup>th</sup> and asked the NEC to investigate when the first mailer was distributed to determine whether or not encumbrances were made prior to March 22<sup>nd</sup>.

Norman Chamber of Commerce

Ms. Francis said mailers were distributed by the Norman Chamber of Commerce that appear to be advocating against the seated incumbents. She said the City ordinance states that anyone working in support or opposition of a candidate is subject to filing Campaign Contribution and Expenditure Reports and asked that the Commission investigate the matter.

Tom Kovach

Ms. Francis asked the NEC to determine whether Mr. Kovach would be subject to reporting requirements as advocating for Tom Sherman's campaign committee since he received compensation from Mr. Sherman's committee for his services.

Commission members asked City Clerk Hall to forward the questions to the Legal Department and their response be reviewed and discussed by the Commission at their next meeting on April 8, 2013.

Ms. Joy Hampton, The Norman Transcript, said she had received inquiries that Councilmember Kovach may have violated the Charter in respect to his work with the Tom Sherman for Mayor 2013 Candidate Committee and asked whether the Norman Election Commission had reviewed that. City Clerk Hall said potential violations of the Charter do not fall under the purview of the Norman Election Commission. Proposed Charter violations are filed and reviewed through the District Attorney's Office; however, her comments would be forwarded to the Legal Department.

\* \* \* \* \*

**Item 5. Adjournment.**

Chairman Hardiman declared the meeting adjourned at 3:23 p.m.

NEC 2013 FINAL ELECTION REPORT

JULY 1, 2013

Appendix A

NORMAN ELECTION COMMISSION MINUTES

May 29, 2013

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 29th day of May, 2013, at 3:00 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

MEMBERS PRESENT:

Robin Allen  
Nina Flannery  
Elizabeth Windes  
Ty Hardiman, Chairman

MEMBERS ABSENT:

Richard Hilbert

OTHERS PRESENT:

Brenda Hall, City Clerk

**Item 2. Approval of minutes from the April 8, 2013, meeting.** Member Allen moved that the minutes from the April 8, 2013, meeting be approved, which motion was duly seconded by Member Windes; and the question being upon approving the minutes from the April 8, 2013, meeting, a vote was taken with the following result:

YEAS:

Members Allen, Flannery, Windes, and Chairman Hardiman

NAYES:

None

Chairman Hardiman declared the motion carried and the minutes from the April 8, 2013, meeting were approved.

\*\*\*\*\*

**Item 3. Consideration and acceptance of Candidates' Campaign Contributions and Expenditures Reports.**

***Friends of Cindy Rosenthal***

Member Allen moved that the City campaign contribution and expenditure report for Friends of Cindy Rosenthal be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 6, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of Cindy Rosenthal, a vote was taken with the following result:

YEAS:

Members Allen, Flannery, Windes, and Chairman Hardiman

NAYES:

None

The Chairman declared the motion carried and the City campaign contribution and expenditure report for Friends of Cindy Rosenthal was accepted.



Item 3, continued:

Chairman Hardiman recognized Mr. John Angier who asked to make a statement. He felt the Norman Election Commission (NEC) should not be reviewing State Campaign Reports. He said NEC does not have the authority over state regulations for campaign reporting and should not review them.

Mr. Jeff Bryant, City Attorney, said pursuant to the Political Subdivisions Act, State reports for municipal candidates are required to be filed with the City Clerk and while NEC does not have any regulatory authority, he did not feel it hurt for them to review the reports. NEC duties listed in Chapter 7.5 of the City Code of Ordinances requires NEC to review, compare and examine for inconsistencies or other deficiencies all statements filed in the Office of the City Clerk, including forms required to be filed under this article and also State forms required to be filed in the Office of the City Clerk by the applicable State Statutes. He said any irregularities and/or violations of state regulations would be forwarded to the City Attorney's Office who could then forward them to the District Attorney's Office, if warranted, the office for which complaints are filed for violations of state regulations.

***Friends of Cindy Rosenthal, continued:***

Member Windes moved that the State campaign contribution and expenditure report for Friends of Cindy Rosenthal be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 6, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Friends of Cindy Rosenthal, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Friends of Cindy Rosenthal was accepted.

\*

***Tom Sherman for Mayor 2013***

Member Windes moved that the City campaign contribution and expenditure report form for Tom Sherman for Mayor 2013 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

Item 3, continued:

***Tom Sherman for Mayor 2013, continued***

and the question being upon accepting the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
--------	------

The Chairman declared the motion carried and the City campaign contribution and expenditure report for Tom Sherman for Mayor 2013 accepted.

Member Windes moved that the State campaign contribution and expenditure report for Tom Sherman for Mayor 2013 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Tom Sherman for Mayor 2013, vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
--------	------

The Chairman declared the motion carried and the State campaign contribution and expenditure report for Tom Sherman for Mayor 2013 accepted.

\*

***David Kemp for Mayor***

Member Windes moved that the City campaign contribution and expenditure report for David Kemp for Mayor be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for David Kemp for Mayor, vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
--------	------

The Chairman declared the motion carried and the City campaign contribution and expenditure report for David Kemp for Mayor.

Item 3, continued:

***David Kemp for Mayor, continued***

Member Flannery moved that the State campaign contribution and expenditure report for David Kemp for Mayor be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the State campaign contribution and expenditure report for David Kemp for Mayor, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
--------	------

The Chairman declared the motion carried and the State campaign contribution and expenditure report for David Kemp for Mayor was accepted.

\*

***Roger Gallagher for Ward 1***

Member Flannery moved that the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Roger Gallagher for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the City campaign contribution and expenditure report for Roger Gallagher for Ward 1 was accepted.

Item 3, continued:

***Roger Gallagher for Ward 1, continued:***

Member Windes moved that the State campaign contribution and expenditure report for Roger Gallagher for Ward 1 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Roger Gallagher for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
--------	------

The Chairman declared the motion carried and the State campaign contribution and expenditure report for Roger Gallagher for Ward 1 was accepted.

\*

***Greg Heiple for Ward 1***

Member Flannery moved that the City campaign contribution and expenditure report for Greg Heiple for Ward 1 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Greg Heiple for Ward 1, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
--------	------

The Chairman declared the motion carried and the City campaign contribution and expenditure report for Greg Heiple for Ward 1 was accepted.

Member Windes moved that the State campaign contribution and expenditure report for Greg Heiple for Ward 1 be accepted contingent upon receipt of itemized list of contributions being, which motion was duly seconded by Member Allen;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

Item 3, continued:

***Greg Heiple for Ward 1, continued***

and the question being upon accepting the State campaign contribution and expenditure report for Greg Heiple for Ward 1 contingent upon receipt of itemized list of contributions being, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
NAYES:	None

The Chairman declared the motion carried and the State campaign contribution and expenditure report for Greg Heiple for Ward 1 was accepted contingent upon receipt of itemized list of contributions being.

\*

***Castleberry for Ward 3***

Member Flannery moved that the City campaign contribution and expenditure report for Castleberry for Ward 3 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 6, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Castleberry for Ward 3, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
NAYES:	None

The Chairman declared the motion carried and the City campaign contribution and expenditure report for Castleberry for Ward 3 were accepted.

*Commission asked the City Clerk to get a better description for the occupation of Lisa Roberts – Analyst.*

Item 3, continued:

***Castleberry for Ward 3, continued***

Member Flannery moved that the State campaign contribution and expenditure report for Castleberry for Ward 3 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 6, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Castleberry for Ward 3, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	-----------------------------------------------------------

NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Castleberry for Ward 3 was accepted.

\*

***Benjamin Carter***

Member Windes moved that the City campaign contribution and expenditure report for Benjamin Carter be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Benjamin Carter, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the City campaign contribution and expenditure report for Benjamin was accepted.

\*

*State reports not required for Benjamin Carter as he did not meet the \$500 threshold required to file reports.*

\*

***Friends of David Spaulding***

Member Flannery moved that the City campaign contribution and expenditure report for Friends of David Spaulding be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Friends of David Spaulding, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the City campaign contribution and expenditure report for Friends of David Spaulding was accepted.

Member Windes moved that the State campaign contribution and expenditure report for Friends of David Spaulding be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Friends of David Spaulding, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Friends of David Spaulding was accepted.

\*

***Lynne Miller for Norman City Council Ward 5***

Member Windes moved that the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

Item 3, continued:

***Lynne Miller for Norman City Council Ward 5***

and the question being upon accepting the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the City campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 was accepted.

Member Flannery moved that the State campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Lynne Miller for Norman City Council Ward 5 was accepted.

\*

***Linda Lockett for Ward 7***

Member Flannery moved that the City campaign contribution and expenditure report for Linda Lockett for Ward 7 be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Linda Lockett for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the City campaign contribution and expenditure report for Linda Lockett for Ward 7 was accepted.



Item 3, continued:

***Linda Lockett for Ward 7, continued:***

Member Windes moved that the State campaign contribution and expenditure report for Linda Lockett for Ward 7 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Linda Lockett for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Linda Lockett for Ward 7 was accepted.

\*

***Holman for Ward 7***

Member Windes moved that the City campaign contribution and expenditure report for Holman for Ward 7 be accepted, which motion was duly seconded by Member Flannery;

Items submitted for the record

1. City Campaign Contributions and Expenditures Report filed May 13, 2013

and the question being upon accepting the City campaign contribution and expenditure report for Holman for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the City campaign contribution and expenditure report for Holman for Ward 7 was accepted.

Member Flannery moved that the State campaign contribution and expenditure report for Holman for Ward 7 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 13, 2013

Item 3, continued:

***Holman for Ward 7, continued:***

and the question being upon accepting the State campaign contribution and expenditure report for Holman for Ward 7, a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
-------	--------------------------------------------------------

NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Holman for Ward 7 was accepted.

\*

***Better Norman Advocates, Inc.***

Member Flannery moved that the State campaign contribution and expenditure report for Better Norman Advocates, Inc., be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. State Campaign Contributions and Expenditures Report filed May 10, 2013

and the question being upon accepting the State campaign contribution and expenditure report for Better Norman Advocates, Inc., a vote was taken with the following result:

YEAS:	Members Allen, Flannery, Windes, and Chairman Hardiman
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NAYES:	None
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The Chairman declared the motion carried and the State campaign contribution and expenditure report for Better Norman Advocates, Inc., was accepted.

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**Item 4. Consideration and possible action regarding a report from the City Attorney's Office.**

Mr. Bryant highlighted the Legal Department's response to several inquiries and/or complaints raised during the 2013 election cycle. He said there was a question as to whether or not Better Norman Advocates, Inc., (BNA) had filed a timely campaign report. He said the BNA filed a report on March 29, 2013; however, expenditures occurred prior to March 22, 2013, so the report should have been filed on the deadline of March 22, 2013. Mr. Bryant said after discussions with BNA's legal counsel, the late filing was not considered to be intentional nor were their actions considered to be malicious or in bad faith. He said a late fee of \$70 was assessed and collected from BNA for filing the report seven days late.

Item 4, continued:

The second complaint alleged mailers distributed by the Norman Chamber of Commerce (Chamber) that appeared to be advocating against the seated incumbents and should be subject to filing campaign and expenditure reports. Mr. Bryant said the City Attorney's duty is to make the sure the Norman Code provisions are read consistently with federal election laws. He said there is a fine line between trying to balance free speech rights and advocacy for a particular candidate. After reviewing federal case law, words on the mailers are not actually specific to a particular candidate so given that status along with federal constituted election law the language used on the mailers is not enough to say it was a specific advocacy for or against a specific candidate. Therefore, the City could not require the Chamber to file a report under the Norman City Code provision.

Mr. Bryant had several discussions with Mr. John woods, President of the Chamber, and Mr. Sean Rieger, former President of the Chamber, and they were very forthcoming that they never intended to hide or not take responsibility for the positions taken on the mailers. They stated the mailers contained topics of information to send a message to voters on ways to improve the business climate in Norman and was not particularly for or against particular candidates. They believed their mailers were within the law; however, they volunteered to file a report and disclose information on the mailers, but did not believe they were required to file a report. Mr. Bryant said that is correct since they did not mention specific candidates and the City would be hard pressed under the Code to require them to file those reports.

Member Flannigan understood there needs to be a person targeted by name, but the gist of the language reads that way; however, Chamber did not contradict the laws the Norman Election Commission is charged to enforce. Mr. Bryant agreed and said federal law leans more toward free speech than restricting political speech so the language used on the mailers has to be only subject to one reasonable interpretation to show that it is express advocacy and the language on these mailers and the Chamber's explanation of their interpretation of the language was certainly reasonable. He said that explanation would not fall within the purview of expressed advocacy because it is subject to more than one reasonable interpretation. He said the language could have been interpreted as saying the Chamber is not in favor of incumbents and that is advocacy against incumbents; however, looking at case law, the words chosen were not express enough to be expressly directed toward a particular candidate for the City to enforce the Code provision. Chairman Hardiman said the language did not clearly identify a candidate and did not have the magic words, "vote for," "elect," "support," "cast your ballot for," "vote against," or "defeat or reject" as stated in Buckley vs. Valeo. Member Flannigan said the last minute appearance of the mailers before the election is what made her question the Chamber's intent.

Chairman Hardiman said he appreciated the research and information from the Legal Department and felt the conclusions are pretty clear and the Norman Election Commission has the answers they need on these complaints. Mr. Bryant said Ms. Kristina Bell, Assistant City Attorney, did all the research and members thanked her for her hard work.

Member Allen works for the Chamber and said the Chamber of Commerce's by-laws do not allow them to endorse any candidate.

Items submitted for the record

1. Memorandum dated May 20, 2013, from Kristina L. Bell, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to Norman Election Commission with Exhibits 1-5, mailers distributed by the Norman Chamber of Commerce

**Item 5. Miscellaneous Discussion.**

The Commission discussed whether to call another meeting to approve the Final Report to be forwarded to the City Council. There was a consensus to have Chairman Hardiman work with City Clerk Hall to prepare and forward the report. No additional meeting will be needed.

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**Item 6. Adjournment.**

Chairman Hardiman declared the meeting be adjourned at 4:10 p.m.