

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

May 23, 2017

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 23rd day of May, 2017, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:

Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala, Mayor Miller

ABSENT:

None

The Pledge of Allegiance was led by Troop 223 from Calvary Baptist Church.

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF APRIL 13, 2017
CITY COUNCIL STUDY SESSION MINUTES OF APRIL 18, 2017
CITY COUNCIL STUDY SESSION OF APRIL 25, 2017
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE
MINUTES OF APRIL 27, 2017
CITY COUNCIL STUDY SESSION MINUTES OF MAY 2, 2017
CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 9, 2017
CITY COUNCIL MINUTES OF MAY 9, 2017
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 9, 2017
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 9, 2017
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 9, 2017

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

Items submitted for the record

1. Text File GID-1617-62 dated May 23, 2017, by Brenda Hall, City Clerk
2. City Council Finance Committee minutes of April 13, 2017
3. City Council Study Session minutes of April 18, 2017
3. City Council Study Session minutes of April 25, 2017
4. City Council Community Planning and Transportation Committee minutes of April 27, 2017
5. City Council Study Session minutes of May 2, 2017
6. City Council Special Session minutes of May 9, 2017
7. City Council minutes of May 9, 2017
8. Norman Utilities Authority minutes of May 9, 2017
9. Norman Municipal Authority minutes of May 9, 2017
10. Norman Tax Increment Finance Authority minutes of May 9, 2017

Item 3, continued:

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

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 4, being:

PROCLAMATION P-1617-32: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 21 THROUGH 27, 2017, AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF NORMAN.

Councilmember Heiple moved that receipt of Proclamation P-1617-32 proclaiming the week of May 21 through 27, 2017, as Emergency Medical Services Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Clark;

Items submitted for the record

1. Text File P-1617-32 dated May 9, 2017, by Brenda Hall, City Clerk
2. Proclamation P-1617-32

Participants in discussion

1. Mr. Eddie Sims, EMSTAT Manager, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation P-1617-32 proclaiming the week of May 21 through 27, 2017, as Emergency Medical Services Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation P-1617-32 proclaiming the week of May 21 through 27, 2017, as Emergency Medical Services Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 5, being:

CONSENT DOCKET

Councilmember Heiple moved that Item 6 through Item 17 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Karjala; and the question being upon the placement on the consent docket by unanimous vote of Item 6 through Item 17, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Item 6 through Item 17 were placed on the consent docket by unanimous vote.

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Item 6, being:

CONSIDERATION OF ORDINANCE O-1617-43 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 4-101 OF CHAPTER 4, ARTICLE V, OF THE CODE OF THE CITY OF NORMAN BY ADDING PROVISIONS TO PROVIDE FOR THE APPOINTMENT OF A CITIZEN MEMBER AND ALTERNATE TO THE CENTER CITY FORM BASED CODE DEVELOPMENT REVIEW TEAM; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Chappel moved that Ordinance O-1617-43 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File O-1617-43 dated May 19, 2017, by Leah Messner, Assistant City Attorney
- 2. Ordinance O-1617-43
- 3. Legislatively notated copy of Ordinance O-1617-43

and the question being upon the Introduction and adoption of Ordinance O-1617-43 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Ordinance O-1617-43 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR’S INVESTMENT REPORT AS OF APRIL 30, 2017, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

- 1. Text File RPT-1617-62 dated May 8, 2017, by Anthony Francisco, Director of Finance
- 2. Finance Director's Investment Report of April 30, 2017

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

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

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 2017, AND DIRECTING THE FILING THEREOF.

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

Item 8, continued:

Items submitted for the record

1. Text File RPT-1617-63 dated May 8, 2017, by Stacey Parker, Executive Assistant
2. Monthly Departmental Reports for the month of April, 2017

and the question being upon acknowledging receipt of the reports and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala, Mayor Miller

NAYES: None

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

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Item 9, being:

CONSIDERATION OF GRANTING EASEMENT E-1617-46 TO OKLAHOMA NATURAL GAS COMPANY TO ALLOW CONSTRUCTION, OPERATION, AND MAINTENANCE OF GAS LINES IN CONJUNCTION WITH THE JAMES GARNER AND ACRES INTERSECTION PROJECT.

Councilmember Chappel moved that Easement E-1617-46 be granted and the execution thereof be authorized, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File E-1617-46 dated April 26, 2017, by Chris Serrano, Construction Manager
2. Easement E-1617-46 with Exhibit "A", legal description, and Exhibit "B", location map

and the question being upon granting Easement E-1617-46 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala, Mayor Miller

NAYES: None

The Mayor declared the motion carried and Easement E-1617-46 granted; and the execution thereof was authorized.

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Item 10, being:

CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY COS-1617-6 FOR PRICE FAMILY FARM AND ACCEPTANCE OF EASEMENT E-1617-47. (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 60TH AVENUE N.W. AND WEST TECUMSEH ROAD)

Councilmember Chappel moved that Norman Rural Certificate of Survey COS-1617-6 for Price Family Farm be approved, Easement E-1617-47 be accepted, and the filing of the certificate of survey and easement with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File COS-1617-6 dated March 31, 2017, by Ken Danner, Subdivision Development Manager
2. Location map
3. Norman Rural Certificate of Survey COS-1617-6
4. Easement E-1617-43
5. Planning Commission Staff Report dated April 13, 2017, recommending approval
6. Greenbelt Commission Final Comments dated March 20, 2017
7. Pertinent excerpts from Planning Commission minutes of April 13, 2017

Item 10, continued:

and the question being upon approving Norman Rural Certificate of Survey COS-1617-6 for Price Family Farm and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and Norman Rural Certificate of Survey COS-1617-6 for Price Family Farm approved; Easement E-1617-43 was accepted and the filing of the certificate of survey and easement with the Cleveland County Clerk was directed.

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Item 11, being:

AUTHORIZATION FOR THE PURCHASE OF AN EMERGENCY COMMUNICATION (RADIO) SYSTEM FROM MOTOROLA SOLUTIONS, INC./TOTAL RADIO, INC., IN THE AMOUNT OF \$40,000 DURING THE PERIOD OF TRANSITION FROM THE CURRENT SYSTEM THROUGH INSTALLATION AND IMPLEMENTATION OF THE NEW SYSTEM FROM HARRIS CORPORATION AUTHORIZED UNDER CONTRACTS K-1617-107 AND K-1617-109.

Councilmember Chappel moved that authorization for the purchase of an Emergency Communication (Radio) System Solution Plan from Motorola Solutions, Inc./Total Radio, Inc., in the amount of \$40,000 be approved, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File GID-1617-64 dated May 10, 2017, by Major Kevin Foster
2. Quote dated January 30, 2017, from Motorola Solutions, Inc./Total Radio, Inc., in the amount of \$40,000

and the question being upon approving authorization for the purchase of an Emergency Communication (Radio) System Solution Plan from Motorola Solutions, Inc./Total Radio, Inc., in the amount of \$40,000, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Chairman declared the motion carried and authorization for the purchase of an Emergency Communication (Radio) System Solution Plan from Motorola Solutions, Inc./Total Radio, Inc., in the amount of \$40,000 was approved.

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Item 12, being:

CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$24,500 FROM THE OKLAHOMA OFFICE OF HOMELAND SECURITY TO BE USED BY THE FIRE DEPARTMENT TO PURCHASE RADIATION DETECTION EQUIPMENT TO BE USED BY THE HAZARDOUS EQUIPMENT UNIT.

Councilmember Chappel moved that a grant in the amount of \$24,500 from the Oklahoma Office of Homeland Security to be used by the Fire Department be accepted; the Mayor be authorized to sign additional supporting documentation related to the grant; the grants funds be assigned to the Office of Homeland Security to purchase the equipment; and the title be accepted upon receipt of the equipment, which motion was duly seconded by Councilmember Holman;

Item 12, continued:

Items submitted for the record

1. Text File GID-1617-130 dated May 5, 2017, by Travis King, Fire Chief
2. Sub-Grantee Award in the amount of \$24,500 dated August 11, 2015

and the question being upon accepting a grant in the amount of \$24,500 from the Oklahoma Office of Homeland Security to be used by the Fire Department and upon the subsequent authorization, assignment, and acceptance, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and a grant in the amount of \$24,500 from the Oklahoma Office of Homeland Security to be used by the Fire Department accepted; the Mayor was authorized to sign additional supporting documentation related to the grant, the grants funds will be assigned to the Office of Homeland Security to purchase the equipment, and the title will be accepted upon receipt of the equipment.

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Item 13, being:

SPECIAL CLAIM SC-1617-6: SUBMITTED BY CLAIMS MANAGEMENT RESOURCES (CMR) ON BEHALF OF COX COMMUNICATIONS IN THE NEGOTIATED AMOUNT OF \$9,010.21 FOR DAMAGES TO AN UNDERGROUND CABLE LOCATED AT 1370 NORTH INTERSTATE DRIVE.

Councilmember Chappel moved that Special Claim SC-1617-6 be approved and payment in the negotiated amount of \$9,010.21 (total \$10,449.59 requested minus \$1,439.38 administrative costs) be directed contingent upon obtaining a Release and Covenant Not to Sue from Cox Communications, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File SC-1617-6 dated May 3, 2017, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated November 14, 2016, from Brenda Hall, City Clerk, to Ken Komiske, Director of Utilities, and Jeff Bryant, City Attorney
3. Special Claim SC-1617-6 filed November 14, 2016, by Claims Management Resources in an undetermined amount
4. Invoice 1275372 dated November 22, 2016, in the amount of \$10,449.59 from Cox Communications

and the question being upon approving Special Claim SC-1617-6 and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Special Claim SC-1617-6 approved; and payment in the negotiated amount of \$9,010.21 (total \$10,449.59 requested minus \$1,439.38 administrative costs) was directed contingent upon obtaining a Release and Covenant Not to Sue from Cox Communications.

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Item 14, being:

SPECIAL CLAIM SC-1617-7: SUBMITTED BY PATRIOT FORD IN THE AMENDED AMOUNT OF \$2,359.62 FOR DAMAGES TO THEIR VEHICLE AS A RESULT OF AN ACCIDENT WITH A BACKHOE AT THE CITY TRANSFER STATION LOCATED AT 3901 SOUTH CHAUTAUQUA AVENUE.

Councilmember Chappel moved that Special Claim SC-1617-7 be approved and payment in the amended amount of \$2,369.62 be directed contingent upon obtaining a Release and Covenant Not to Sue from Patriot Ford's Representative, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File SC-1617-7 dated May 11, 2017, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated April 24, 2017, from Brenda Hall, City Clerk, to Shawn O'Leary, Director of Public Works, and Jeff Bryant, City Attorney
3. Special Claim SC-1617-7 filed April 24, 2017, by Lynnette Vance, Patriot Ford, in the amount of \$2,587.88
4. Estimate da4faa45 dated April 19, 2017, from Ferguson Buick GMC Collision Center in the amount of \$2,587.88
5. Amended Special Claim SC-1617-7 dated May 4, 2017, by Lynnette Vance, Patriot Ford, in the amount of \$2,359.62
6. Revised Estimate da4faa45 dated April 19, 2017, from Ferguson Buick GMC Collision Center in the amount of \$2,359.62
7. Photographs of damaged vehicle
8. Official Oklahoma Traffic Collision Report dated April 15, 2017

and the question being upon approving Special Claim SC-1617-7 and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Special Claim SC-1617-7 approved; and payment in the amended amount of \$2,369.62 was directed contingent upon obtaining a Release and Covenant Not to Sue from Patriot Ford's Representative.

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Item 15, being:

CHANGE ORDER NO. FIVE TO CONTRACT K-1516-80: WITH CENTRAL CONTRACTING SERVICES, INC. INCREASING THE CONTRACT AMOUNT BY \$777,235 FOR A REVISED CONTRACT AMOUNT OF \$3,361,420 AND ADDING 84 CALENDAR DAYS TO THE CONTRACT TO INCLUDE INSTALLATION OF THE CHAUTAUQUA WATER LINE BETWEEN LINDSEY STREET AND TIMBERDELL AVENUE AS PART OF THE BERRY ROAD WATERLINE REPLACEMENT PROJECT, PHASE 3.

Acting as the City Council and the Norman Utilities Authority, Councilmember Chappel moved that Change Order No. Five to Contract K-1516-80 with Central Contracting Services, Inc., increasing the contract amount by \$777,235 for a revised contract amount of \$3,361,420 and adding 84 calendar days to the contract be approved and the execution thereof be authorized; which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File K-1516-80, Change Order No. Five, dated May 10, 2017, by Chris Mattingly, Capital Projects Engineer
2. Location map
3. Change Order No. Five to Contract K-1516-80
4. Purchase Requisition 0000279028 dated May 11, 2017, in the amount of \$677,235 to Central Contracting Services, Inc.
5. Purchase Requisition 0000278986 dated May 10, 2017, in the amount of \$100,000 to Central Contracting Services, Inc.

Item 15, continued:

and the question being upon approving Change Order No. Five to Contract K-1516-80 with Central Contracting Services, Inc., increasing the contract amount by \$777,235 for a revised contract amount of \$3,361,420 and adding 84 calendar days to the contract and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Change Order No. Five to Contract K-1516-80 with Central Contracting Services, Inc., increasing the contract amount by \$777,235 for a revised contract amount of \$3,361,420 and adding 84 calendar days to the contract approved; and the execution thereof was authorized.

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Item 16, being:

CHANGE ORDER NO. TWO TO CONTRACT K-1516-122: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$268,490 FOR A REVISED CONTRACT PRICE OF \$2,181,360 AND ADDING 90 CALENDAR DAYS TO THE CONTRACT FOR THE SEWER MAINTENANCE PROJECT FYE 2014, PHASE 1, AND BUDGET APPROPRIATION FROM THE SEWER MAINTENANCE FUND BALANCE.

Acting as the Norman Utilities Authority, Trustee Chappel moved that Change Order No. Two to Contract K-1516-122 with Urban Contractors, L.L.C., increasing the contract amount by \$268,490 for a revised contract amount of \$2,181,360 and adding 90 calendar days to the contract be approved; the execution thereof be authorized; and \$269,000 be appropriated from the Sewer Maintenance Fund (321-0000-253.20-00) to Project WW0202, Sewer Maintenance Project FYE 2014, Construction (321-9338-432.61-01), which motion was duly seconded by Trustee Holman;

- Items submitted for the record
- 1. Text File K-1516-122, Change Order No. Two, dated April 25, 2017, by Charlie Thomas, Capital Projects Engineer
 - 2. Location map
 - 3. Change Order No. Two to Contract K-1516-122

and the question being upon approving Change Order Two to Contract K-1516-122 with Urban Contractors, L.L.C., increasing the contract amount by \$268,490 for a revised contract amount of \$2,181,360 and adding 90 calendar days to the contract and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS:	Trustees Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Chairman Miller
NAYES:	None

The Chairman declared the motion carried and Change Order No. Two to Contract K-1516-122 with Urban Contractors, L.L.C., increasing the contract amount by \$268,490 for a revised contract amount of \$2,181,360 and adding 90 calendar days to the contract approved; the execution thereof was authorized and \$269,000 was appropriated from the Sewer Maintenance Fund (321-0000-253.20-00) to Project WW0202, Sewer Maintenance Project FYE 2014, Construction (321-9338-432.61-01).

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Item 17, being:

CONSIDERATION OF CONTRACT K-1617-126 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN MUNICIPAL AUTHORITY AND TRANS-TEL CENTRAL, INC. IN THE AMOUNT OF \$104,625.79; PERFORMANCE BOND B-1617-91; STATUTORY BOND B-1617-92; AND MAINTENANCE BOND MB-1617-78 FOR THE CONSTRUCTION AND RELOCATION OF FIBER OPTIC INFRASTRUCTURE IN CONNECTION WITH PHASE I OF CREATING A FIBER OPTIC LOOP.

Acting as the City Council and the Norman Municipal Authority, Councilmember Chappel moved that Contract K-1617-126 with Trans-Tel Central, Inc., in the amount of \$104,625.79 and the performance, statutory, and maintenance bonds be approved; the Mayor be authorized to sign the contract and bonds contingent up on the City Attorney’s approval, and the filing of the bonds be directed, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

- 1. Text File K-1617-126 dated April 28, 2017, by Rob Gruver, Network Support Supervisor
- 2. Location map
- 3. Contract K-1617-126 with Exhibit A, Statement of Work

and the question being upon approving Contract K-1617-126 with Trans-Tel Central, Inc., in the amount of \$104,625.79 and the performance, statutory, and maintenance bonds and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Contract K-1617-126 with Trans-Tel Central, Inc., in the amount of \$104,625.79 and the performance, statutory, and maintenance bonds approved; the Mayor was authorized to sign the contract and bonds contingent up on the City Attorney’s approval, and the filing of the bonds was directed

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Item 18, being:

PUBLIC HEARING REGARDING THE FYE 2018 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

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

Items submitted for the record

- 1. Text File GID-1617-63 dated May 9, 2017, by Suzanne Krohmer, Budget Manager
- 2. City of Norman, Oklahoma, Fiscal Year Ending 2018 Annual Budget Summary of Fund Balances
- 3. Norman Convention and Visitors Bureau FY 2017/2018 Budget
- 4. Visit Norman Annual Plan of Work dated May 15, 2017
- 5. The City of Norman, Oklahoma, Fiscal Year Ending June 30, 2018, Budget and Financial Plan, Fiscal Year-End 2018-2021 (Preliminary)
- 6. The City of Norman, Oklahoma, Capital Improvement Projects Budget, Fiscal Year Ending June 30, 2018, Financial Plan, Fiscal Year-End 2019-2022

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

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

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

Item 18, continued:

Thereupon, the following persons addressed City Council:

Participants in discussion

- 1. Ms. Suzanne Krohmer, Budget Manager
- 2. Mr. Steve Ellis, 633 Reed Avenue, made comments
- 3. Ms. Sereta Wilson, 10400 East State Highway 9, made comments
- 4. Ms. Cindy Rogers, 633 Reed Avenue, made comments
- 5. Ms. Rebecca Bean, Animal Welfare Oversight Committee member, 1116 Caddell Lane, made comments
- 6. Mr. Eric Pace, 710 Tarkington Drive, made comments
- 7. Mr. Roger Gallagher, 2513 Woodsong Drive, made comments
- 8. Ms. Shannon Hibbert, 1307 Melrose Street, made comments
- 9. Dr. Joe Carter, Animal Welfare Oversight Committee member, 1524 Magnolia Street, made comments
- 10. Mr. Jeff Bryant, City Attorney
- 11. Mr. Dan Schemm, Executive Director, Norman Convention and Visitors Bureau, Inc.
- 12. Ms. Deb Clark, 2134 Summer Drive, made comments

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

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Heiple moved that an agenda item be scheduled on June 13, 2017, to adopt the FYE 2018 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, which motion was duly seconded by Councilmember Holman; and the question being upon an agenda item being scheduled on June 13, 2017, to adopt the FYE 2018 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	None
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The Mayor declared the motion carried and an agenda item will be scheduled on June 13, 2017, to adopt the FYE 2018 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work.

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Item 19, being:

RESOLUTION R-1617-114: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROVING AN APPEAL OF THE TEMPORARY ADMINISTRATIVE DELAY TO ALLOW THE SUBMITTAL OF A PERMIT APPLICATION FOR A SINGLE FAMILY HOME WITH A CONNECTED COVERED PATIO TO THE GARAGE WITH LIVING AREA ABOVE THE GARAGE AT 823 SOUTH LAHOMA AVENUE.

Councilmember Heiple moved that Resolution R-1617-114 be adopted, which motion was duly seconded by Councilmember Clark;

Item 19, continued:

Items submitted for the record

1. Text File R-1617-114 dated May 9, 2017, by Janay Greenlee, Planner II
2. Resolution R-1617-114
3. Aerial map for 823 South Lahoma Avenue
4. Administrative Delay Appeal filed April 26, 2017, by Brett and Alesha Leemaster for 823 South Lahoma Avenue
5. Letter of request from Brett and Alesha Leemaster to Norman City Councilmember
6. Construction Permit Application received April 24, 2017, from Curtis McCarty, C.A. McCarty Construction for 823 South Lahoma Avenue
7. Site plan
8. Resolution R-1617-72 with Exhibit A, Central Norman Study Area, and Exhibit B, Affected Building Permit Table

Participants in discussion

1. Mr. Curtis McCarty, 108 Nantucket Boulevard, contractor representing the applicant

and the question being upon adopting Resolution R-1617-114, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Resolution R-1617-114 was adopted.

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Item 20, being:

RESOLUTION R-1617-120: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROVING AN APPEAL OF THE TEMPORARY ADMINISTRATIVE DELAY TO ALLOW THE SUBMITTAL OF A BUILDING PERMIT APPLICATION TO ADD A BATHROOM, UTILITY ROOM, PORCH, AND NEW DETACHED GARAGE TO AN EXISTING FAMILY HOME AT 428 CHAUTAUQUA AVENUE AND PAVING THE EXISTING GRAVEL DRIVEWAY.

Councilmember Heiple moved that Resolution R-1617-120 be adopted, which motion was duly seconded by Councilmember Hickman;

Items submitted for the record

1. Text File R-1617-120 dated May 17, 2017, by Janay Greenlee, Planner II
2. Resolution R-1617-120
3. Aerial map for 428 Chautauqua Avenue
4. Photograph of property
5. Administrative Delay Appeal by Mark Krittenbrink for 428 Chautauqua Avenue
6. Letter of request dated May 10, 2017, from Mark Krittenbrink, Krittenbrink Architecture, to Janay Greenlee-Warnken, City of Norman
7. Construction Permit Application for deck addition received May 12, 2017, from Mark Krittenbrink for 428 Chautauqua Avenue
8. Construction Permit Application for garage dated May 12, 2017, from Mark Krittenbrink for 428 Chautauqua Avenue
9. Historic District Commission Certificate of Appropriateness approved May 1, 2017 for 428 Chautauqua
10. Resolution R-1617-72 with Exhibit A, Central Norman Study Area, and Exhibit B, Affected Building Permit Table

Participants in discussion

1. Mr. Mark Krittenbrink, Krittenbrink Architecture, 301 West Boyd Street, architect representing the applicant

Item 20, continued:

and the question being upon adopting Resolution R-1617-120, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Resolution R-1617-120 was adopted.

* * * * *

Item 21, being:

RESOLUTION R-1617-121: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROVING AN APPEAL OF THE TEMPORARY ADMINISTRATIVE DELAY TO ALLOW THE SUBMITTAL OF A BUILDING PERMIT APPLICATION TO ADD A MASTER BEDROOM, BATHROOM, AND PATIO TO AN EXISTING SINGLE FAMILY HOME AT 821 WEST BROOKS STREET.

Councilmember Heiple moved that Resolution R-1617-121 be adopted, which motion was duly seconded by Councilmember Clark;

- Items submitted for the record
1. Text File R-1617-121 dated May 17, 2017, by Janay Greenlee, Planner II
 2. Resolution R-1617-121
 3. Aerial map for 821 West Brooks Street
 4. Photograph of property
 5. Site plan
 6. Administrative Delay Appeal by Jennifer Waller for 821 West Brooks Street
 7. Letter of request dated May 10, 2016, from Mark Krittenbrink, President/Principal Architect, Krittenbrink Architecture, to Janay Greenlee-Warnken, City of Norman
 8. Letter approving variance of rear yard and front yard setback dated April 4, 2017, from Wayne Stenis, Planner II, to Jennifer Waller
 9. Construction Permit Application received May 12, 2017, from Mark Krittenbrink for 821 West Brooks Street
 10. Resolution R-1617-72 with Exhibit A, Central Norman Study Area, and Exhibit B, Affected Building Permit Table

- Participants in discussion
1. Mr. Mark Krittenbrink, 301 West Boyd Street, architect representing the applicant

and the question being upon adopting Resolution R-1617-121, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Resolution R-1617-121 was adopted.

* * * * *

Item 22, being:

CONSIDERATION OF ORDINANCE O-1617-31 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ADD “MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY” AS A SPECIAL USE IN THE RE, O-1, CO, C-1, C-2, CR, C-3, I-1 AND M-1 ZONING DISTRICTS; TO REMOVE “MUNICIPAL USE, PUBLIC SERVICE OR UTILITY USE” FROM THE PERMITTED USES IN THE A-1 AND A-2 ZONING DISTRICTS AND ADD “MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY” AS A SPECIAL USE IN THE A-1 AND A-2 ZONING DISTRICTS; TO REMOVE “MUNICIPAL OR PUBLIC USE” FROM THE PERMITTED USES IN THE MUD ZONING DISTRICT AND ADD “MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY” AS A SPECIAL USE IN THE MUD ZONING DISTRICT; TO REMOVE “MUNICIPAL USE” FROM THE PERMITTED USES IN THE TC ZONING DISTRICT AND ADD “MUNICIPAL USE, PUBLIC BUILDINGS AND PUBLIC UTILITY” AS A SPECIAL USE IN THE TC ZONING DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-1617-31 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 9, 2017, Councilmember Heiple moved that Ordinance O-1617-31 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Clark;

Items submitted for the record

- 1. Text File O-1617-31 dated January 10, 2017, by Susan Connors, Director of Planning and Community Development
- 2. Ordinance O-1617-31
- 3. Legislatively notated copy of Ordinance O-1617-31
- 4. Planning Commission Staff Report dated April 13, 2017, recommending approval
- 5. Pertinent excerpts from Planning Commission minutes of April 13, 2017

Participants in discussion

- 1. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Ordinance O-1617-31 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Ordinance O-1617-31 was adopted upon Second Reading section by section.

Thereupon, Councilmember Heiple moved that Ordinance O-1617-31 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Clark; and the question being upon adopting Ordinance O-1617-31 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Ordinance O-1617-31 was adopted upon Final Reading as a whole.

* * * * *

Item 23, being:

CONSIDERATION OF ORDINANCE O-1617-34 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 429.1(3) AND CLARIFYING THE PROCESS FOR AMENDMENTS TO DISTRICT BOUNDARIES BASED ON APPROVAL BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) LETTERS OF MAP CHANGE INCLUDING LETTERS OF MAP REVISION; AMENDING SECTION 429.1(4) TO CLARIFY WHEN A FLOODPLAIN PERMIT IS REQUIRED AND WHEN COUNCIL APPROVAL IS REQUIRED; AND REMOVING REDUNDANT LANGUAGE RELATED TO SUBDIVISION STANDARDS, ALL IN CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-1617-34 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 9, 2017, Councilmember Heiple moved that Ordinance O-1617-34 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File O-1617-34 dated May 2, 2017, by Susan Connors, Director of Planning and Community Development
2. Legislatively notated copy of Ordinance O-1617-34
3. Ordinance O-1617-34
4. Staff Report
5. Pertinent excerpts from Planning Commission minutes of April 13, 2017

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney

Thereupon, Councilmember Castleberry moved that Section 22:429.1(4)(b)(17) set forth in Section 2 of Ordinance O-1617-34 be replaced with the following language:

* * *

(17) Redevelopment or Reclamation Projects – Projects that propose to reduce flood hazards through the removal of existing non-compliant development which provide overall beneficial improvements to the function of the floodplain. Such beneficial improvements may include appropriate modifications to the existing character and topography of the floodplain that demonstrate through certified engineering studies:

- a. increased storage capacity;
- b. reduced velocities and erosion;
- c. restored natural functions of the floodplain; and/or
- d. improved discharge efficiency.

which motion was duly seconded by Councilmember Clark;

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Steve Ellis, 633 Reed Avenue, proponent
3. Ms. Vickie Walden, 1616 Sunrise Street, asked questions
4. Ms. Cindy Rogers, 633 Reed Avenue, made comments
5. Ms. Bette Maffucci, 752 DeBarr Avenue, made comments
6. Mr. Shawn O'Leary, Director of Public Works

and the question being upon replacing Section 22:429.1(4)(b)(17) set forth in Section 2 of Ordinance O-1617-34 with the language as stated above, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Mayor Miller

NAYES:

Councilmember Karjala

The Mayor declared the motion carried and Section 22:429.1(4)(b)(17) set forth in Section 2 of Ordinance O-1617-34 was replaced with the language as stated above;

Item 23, continued:

Thereupon, Councilmember Karjala moved that Section 22:429.1(4)(b)(17) set forth in Section 2 of Ordinance O-1617-34, as amended, be further amended to read as follows:

* * *

Such beneficial improvements may include appropriate modifications to the existing character and topography of the floodplain that demonstrate through certified engineering studies, independently verified:

* * *

which motion was duly seconded by Councilmember Holman;

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. Shawn O'Leary, Director of Public Works
3. Ms. Cindy Rogers, 633 Reed Avenue, proponent
4. Mr. Steve Ellis, 633 Reed Avenue, made comments
5. Mr. Cody Franklin, 718 West Hughbert Street, made comments
6. Mr. Sean Rieger, 136 Thompson Drive, protestant
7. Ms. Vickie Walden, 1616 Sunrise Street, proponent

and the question being upon further amending Section 22:429.1(4)(b)(17) set forth in Section 2 of Ordinance O-1617-34, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmember Karjala and Mayor Miller
-------	--

NAYES:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, and Holman
--------	--

The Mayor declared the motion failed and Section 22:429.1(4)(b)(17) set forth in Section 2 of Ordinance O-1617-34, as amended, was not further amended as stated above;

and the question being upon adopting Ordinance O-1617-34, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Mayor Miller
-------	--

NAYES:	Councilmember Karjala
--------	-----------------------

The Mayor declared the motion carried and Ordinance O-1617-34, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Allison moved that Ordinance O-1617-34, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Castleberry; and the question being upon adopting Ordinance O-1617-34, as amended, upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Mayor Miller
-------	--

NAYES:	Councilmember Karjala
--------	-----------------------

The Mayor declared the motion carried and Ordinance O-1617-34, as amended, as adopted upon Final Reading as a whole.

* * * * *

Item 24, being:

CONSIDERATION OF ORDINANCE O-1617-35 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 429.7 - CENTER CITY FORM-BASED CODE (CCFBC) AND AMENDING SECTION 460 SO AS TO REMOVE ALL PROPERTIES LOCATED WITHIN THE CCFBC DISTRICT AS DEPICTED ON THE DISTRICT MAP PUBLISHED IN SECTION 302 OF THE CCFBC FROM THEIR CURRENT ZONING DISTRICT DESIGNATIONS AND PLACE THOSE PROPERTIES IN THE CCFBC ZONING DISTRICT DESIGNATION OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-1617-35 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 9, 2017, Councilmember Hickman moved that Ordinance O-1617-35 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File O-1617-35 dated March 21, 2017, by Susan Connors, Director of Planning and Community Development
2. Ordinance O-1617-35 with Exhibit A, Illustrative Form District Map
3. Location map
4. Center City Form-Based Code dated April, 2017 with Appendix A, Process and Incentives and Appendix B, Center City Planned Unit Development
5. Staff Report dated April 6, 2017, recommending approval
6. Predevelopment Meeting Summary Case PD-17-6 dated March 23, 2017, submitted by City of Norman for Center City
7. Protest and Support Map dated April 6, 2017, containing 0.32% support within subject tract; 6.0% protests within subject tract; and 0.8% protest outside subject tract
8. Letter of support filed March 13, 2017, from Mitch Baroff to City Council and Planning Commission
9. Letter of protest dated March 15, 2017, from Brad Worster, CPM, CCIM, Broker and Property Manager for the Mary Louise Livingston Trust to Mr. Jeff Harley Bryant, City Attorney with attached Center City Form Based Code Regulating Plan
10. Letter of protest filed March 22, 2017, from Brad Worster, CPM, CCIM, Manager/Member, Silver Cricket Investments, L.L.C., to Office of the City Clerk
11. Letter of protest filed April 3, 2017, from Dean and Gwen Harrington, to Whom It May Concern
12. Letter of protest filed April 3, 2017, from Stephen (Rusty) and Mary Rains to City of Norman
13. Letter of protest filed April 3, 2017, from Gerald Personett to City of Norman Planning and Community Development
14. Letter of protest filed April 3, 2017, from Brad Goodman, Manager, Goodman Holdings, L.L.C., owner of 230 West Gray Street
15. Letter of protest filed April 3, 2017, from Brad Goodman, Manager, Goodman and Sons, L.L.C., owner of 132 West Gray
16. Letter of protest filed April 3, 2017, from Brad Goodman, Manager, Goodman and Sons, L.L.C., owner of 129 West Gray
17. Letter of protest filed April 3, 2017, from Brad Goodman, Manager, Goodman and Sons, L.L.C., owner of 126 West Gray
18. Letter of protest filed April 3, 2017, from Brad Goodman, Manager, Goodman and Sons, L.L.C., owner of 129/217 West Main
19. Letter of protest filed April 3, 2017, from John P. Collins to Mayor Lynne Miller for 824 Monnett Avenue
20. Letter of protest filed April 3, 2017, from John P. Collins to Mayor Lynne Miller for 223 McCullough
21. Letter of protest filed March 29, 2017, from Mary Louise Symcox to City of Norman Planning Commission, owner of 113 and 115 East Duffy
22. Letter of protest filed March 27, 2017, from C.J. Ahyou, owner of 750 Jenkins Avenue
23. Letter of protest filed March 17, 2017, from John and Sherri Lungren, owner of 421 and 425 Buchanan; 124 and 128 West Linn; 116 and 118 West Apache; 313, 315, and 630 West Comanche; and 305, 318, and 320 East Main to City of Norman
24. Letter of protest filed March 27, 2017, from Tracy Gordon and Gordon and Associate, L.L.C., owner of 726, 728, 900, 902, 904, and 904 1/2 Monnett Avenue; 750 and 750 1/2 DeBarr Avenue; and 211 Ferrill Lane
25. Letter of protest filed March 16, 2017, from Virgil T. and Elizabeth A. Bevel, owners of 720, 724, 725, 729, 731, and 764 DeBarr Avenue, to City Clerk
26. Affidavit filed March 31, 2017, from Virgil T. and Elizabeth A. Bevel, owners of Skylark Properties, L.L.C., and TBI, L.L.C.

Item 24, continued:

27. Letter of protest filed March 16, 2017, from Cindy M. Martin, Trustee, Dorothy Ann Massey Revocable Living Trust, owner of 746 and 751 DeBarr Avenue to City Clerk
28. Letter of protest filed March 21, 2017, from Bonnie Lightfoot, owner of 735 Jenkins, 803 and 807 Monnett, and 515 South University
29. Letter of protest filed March 21, 2017, from Rob Uhles, owner of 215 E. Boyd and 221 McCullough
30. Letter of protest filed March 21, 2017, from Tammy McCown, owner of 710 Monnett Avenue; 706, 710, and 718 Jenkins; and 205 East Boyd
32. Letter of protest filed March 21, 2017, from Martin Wernick, owner of 209 Park Drive, 101 and 103 East Duffy, and 719, 731, and 737 Jenkins
33. Letter of protest filed March 21, 2017, from Mike Pierce, owner of 301 East Boyd, 216 and 218 McCullough; and 109, 117, and 119 East Duffy
34. Letter of protest filed March 21, 2017, from Tammy McCown for 724 Jenkins
35. Letter of protest filed March 31, 2017, from Robbie J. Ward for Lots 1-8, Lots 28-31, and Lot 34-38, Block 3, State University Addition, to City of Norman Planning Commission
36. Pertinent excerpts from Planning Commission Special Session minutes of April 6, 2017
37. Letter of supported dated May 8, 2017, from Richard McKown, Daniel Pullin, and Cindy Rosenthal, Executive Committee of the Center City Master Plan Visioning Committee
38. Protest and Support Map dated May 12, 2017, containing 0.32% support, 6.2% protest and 0.8% protest outside subject tract
39. Letters of protest filed April 3 and May 9, 2017, from Marsha McDaris, owner of 448 College Avenue
40. Letter of protest filed May 10, 2017, from Kevin Watley, owner of 111 North Santa Fe Avenue
41. Letter of protest filed April 3, 2017, from Brad Worster, CPM, CCM, Broker and Property Manager for the Mary Louise Livingston Trust, to Office of the City Clerk, owner of 332 West Main Street, with attached site plan

Participants in Discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Ms. Leah Messner, Assistant City Attorney
3. Mr. Brad Worster, 132 Santa Fe, asked questions
4. Mr. Mark Campbell, 517 North University Boulevard, made comments
5. Mr. Cody Franklin, 718 West Hughbert Street, made comments
6. Mr. Gabriel Bird, 2800 Marigold Trails, made comments
7. Mr. Richard McKown, 4409 Cannon Drive, Center City Master Plan Visioning Committee
8. Ms. Marsha McDaris, 448 College Avenue, made comments
9. Ms. Deb Clark, 2134 Summer Drive, asked questions
10. Mr. Matthew Clinton, 1116 Caddell Lane, made comments

Thereupon, Councilmember Allison moved that Ordinance O-1617-35 be amended as follows:

* * *

Part 3. The Regulating Plan

* * *

302. Illustrative Form District Map

Amend the designation of “Public Open Space” to “Urban Storefront” on the Regulating Plan for the property located at 332 West Main Street.

* * *

Part 4. Building Form Standards

* * *

402. General Provisions

* * *

Item 24, continued:

D. Neighborhood Manners

For the Urban General, Urban Storefront, and Urban Residential BFS frontages, the following rules apply:

1. Where a site shares a COMMON LOT LINE with a Detached BFS frontage lot within the City Center District or an ~~R-3~~ R-1 lot adjacent to the western boundary of the District:
- * * *
2. Where a site shares a COMMON LOT LINE with a Detached BFS frontage lot within the City Center District or an ~~R-3~~ R-1 lot adjacent to the District, a GARDEN WALL, 4 to 6 feet in height, shall be constructed within one (1) foot of the COMMON LOT LINE. Trees from the Street Tree List shall be planted, on maximum 30-foot centers, within 10 feet of this wall.

* * *

K. Roof Configurations

FOR CLEARLY VISIBLE FROM THE STREET-SPACE, pitched roofs, exclusive of roofs behind parapet walls, shall be pitched between 4:12 and 12:12. Shed roofs, attached to the main structure, shall be pitched between 3:12 and 8:12. (See *Section 403 402.O* for standards for screening mechanical equipment.)

* * *

403. Urban General Frontage (The Urban Residential Box on Page 29)

Urban Residential
Where Urban Residential is designated on the REGULATING PLAN, these Urban General BFS standards shall apply, except that:
1. the building shall be no greater than 4 stories and 51 feet in height; in accordance with the regulations stated in this Section under Building Height, 3.c. and the REGULATING PLAN; and
2. the uses shall be limited to RESIDENTIAL and related support services, such as lobbies, leasing offices, resident exercise facilities, etc.

* * *

Part 5. Urban Space Standards

* * *

502. Intent

* * *

B. The Urban Space Standards have the following goals:

* * *

2. To ensure the coherence of the STREET-SPACE, ~~serving~~ to assist residents, building owners, and managers with understanding the relationship between the STREET-SPACE and their own properties

* * *

504. Streetscape Standards

* * *

D. On-Street Parking

1. On-street parking spaces shall count towards parking requirements. (See *Part 76. Parking and Loading Standards*.)

* * *

Item 24, continued:

702. Use Table

The use table identifies the uses allowed in the respective BFS (BUILDING FORM STANDARDS) frontages by STORY.

BUILDING FORM STANDARD (BFS)											
USE CATEGORY		BUILDING FORM STANDARD (BFS)									
		Urban General		Urban Storefront		Urban Residential		Townhouse/ Small Apt		Detached	Additional Regulations
		Ground Story	Upper Story	Ground Story	Upper Story	Ground Story	Upper Story	Ground Story	Upper Story	All Stories	
RESIDENTIAL	Household Living	!	"	!	"	"	"	"	"	"	Sec. 703.704.B.1-2
	Group Living		!		!	!	!	!	!	!	See City for specifications.
COMMERCE	Office	"	"	!	"			!			Sec. 703.704.D.1-2
	Overnight Lodging	!	"	!	"	!	"	!	!	!	Sec. 703.704.E.1-3
	Recreation/Entertainment	"	!	!	"						Sec. 703.F.1-5
	Vehicle Sales	"	"		"						Sec. 703.704.F.2
	Passenger Terminal	"									
	Day Care	"	"		"			!	!	!	See City for specifications.
	Retail Sales & Service	"	!	"	!			!			Sec. 703.704.F.2, 6, 7
	Restaurant/Bar/Lounge/Tavern	"	!	"	!						Sec. 703.704.F.1-5
	Art Studio/Artisinal Manufacturing	"	"	"	"			!			Sec. 703.704.F.7
	Research & Development	"	"		"						
	Self-service storage		"		"						
	Auto Repair	!									Sec. 703.704.G.
CIVIC	See Part 8. Definitions	"		"		"		"		"	Sec. 703.704.C.
Key: " = Permitted ! = Additional Regulations Apply Blank Cell = Not Permitted											

* * *

Appendix A

* * *

A. Process

* * *

3. If CCPUD is chosen, the property owner and/or development applicant is required to comply with the rezoning process outlined within *Chapter 22. Section 442.1* of the City of Norman Code of Ordinances. The primary goal of the new CCPUD category is to provide flexibility (beyond that provided in *Section 206. Administrative Adjustments and Section 208. Designed Deviations*) when a property owner seeks to comply with the intent and goals of the FBC but seeks relief regarding specific requirements of the FBC.

* * *

which motion was duly seconded by Councilmember Clark;

Item 24, continued:

and the question being upon amending Ordinance O-1617-35 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala Mayor Miller
-------	--

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

The Mayor declared the motion carried and Ordinance O-1617-35 was amended as stated above;

Thereupon, Councilmember Heiple moved that consideration of the following six amendments as a package proposed by Councilmember Hickman to further amend Ordinance O-1617-35, as amended, be rejected:

Part 2. Administration, Application, Process & Appeals

* * *

204. Certificate of Compliance

An application for approval of a Certificate of Compliance, demonstrating compliance with the provisions contained in the CCFBC and the REGULATING PLAN shall be submitted to the Director. At the time of application for a Certificate of Compliance for a Center City Form District property, the property shall be posted by the applicant with a sign provided by the City of Norman identifying that such a request has been received.

* * *

205. Effect of Certificate of Compliance Issuance

* * *

~~A. Application for Building Permit~~

~~At the time of application for a building permit for a CC Form District property, the property shall be posted, identifying that such a request has been received.~~

with all following sections in Section 205 renumbered accordingly.

* * *

~~208. Designed Deviations~~

~~A. Deviations can be granted by the Planning Director for minor design changes which means that the applicant has an alternative way to meet the intent of the CCFBC rather than on the "hardship" or other variance standards used by the Board of Adjustment for Variances.~~

~~B. Any person seeking one or more deviations from the provisions of the FBC shall follow the procedure outlined in 204. Certificate of Compliance. At the time of the application, they shall specifically identify in writing those standards from which the proposed design is deviating, including a written explanation of why the proposed deviation is necessary and how the proposed design fulfills the intent of the CCFBC.~~

with all following sections renumbered accordingly.

~~209. 208. Non-Conforming Structures and Uses~~

Non-conforming structures within the CC Form District may be altered or repaired according to the following schedule:

A. ~~Single-family and duplex structures:~~ Repairs, remodeling, and additions to the single-family or duplex structures may be made in conformance with the previous residential base zoning district (immediately prior to CCFBC adoption) so long as the addition is not greater than 50% of the square footage of a non-conforming structure.

Item 24, continued:

~~— 2. Intentional demolition requires conformance to the process standards of the CC Form District (See Appendix A)~~

B. 3. Single-family, duplex, and residential accessory structures destroyed by fire, explosion, act of God, or the public enemy may be replaced in conformance with the previous residential base zoning district (immediately prior to CCFBC adoption) so long as the structure is not converted to another non-conforming use or expanded beyond the footprint of the destroyed structure.

C. Existing structures destroyed by fire, explosion, act of God, or the public enemy may be replaced with a structure of comparable use, height, and siting; redeveloped following the CCFBC standards; or follow the process established in Appendix A.

B. Other Structures:

(existing as of the date of adoption of the CCFBC)

~~1. Additions up to 10% of the square footage of a non-conforming structure may be made subject to conformance with the prior base zoning district.~~

~~2. Additions greater than 10% but equal to or less than 50% of the square footage of a non-conforming structure may be made subject to conformance with the siting requirements of the CCFBC relative to the new addition only or following the process established in Appendix A.~~

~~3. Additions greater than 50% of the square footage of a non-conforming structure or which exceed 75% of the Cleveland County appraised value of the non-conforming structure shall be made in conformance with the CCFBC or following the process established in Appendix A. Non-conforming site improvements must be brought into complete compliance using the same standards and process applied to the structure, whether FBC or Appendix A.~~

~~4. Existing structures destroyed by fire, explosion, act of God, or the public enemy may be replaced with a structure of comparable height and siting; redeveloped following the CCFBC standards; or follow the process established in Appendix A.~~

C. Non-conforming Use:

~~1. A non-conforming use may be extended throughout any portion of a completed building that, when the use was made non-conforming by the CCFBC, was manifestly designed or arranged to accommodate such use.~~

~~2. A use that is non-conforming with the CCFBC shall not be extended to additional buildings or to land outside the original building.~~

* * *

603. Minimum Parking Requirements

A. Properties zoned C-3 at the time of CCFBC adoption are exempt from these minimum parking requirements. See Part 3. Section 303. Illustrative Form District Map for the applicable parcels. Properties zoned C-2 and located on Gray Street extending from Lahoma Avenue on the West to the railroad tracks on the East shall also be exempt from either the minimum parking requirements of the CCFBC or the C-2 parking requirements when redeveloped.

* * *

Appendix A

A. Process

* * *

2. If the CCFBC is chosen, the administrative process established in Part 2. Administration of the CCFBC will be used for site plan review, demolition permit and preliminary plat through the Development Review Committee after staff review. Final Plat will require City Council approval. Any parcel formerly designated as C-3 immediately prior to the adoption of the

Item 24, continued:

CCFBC shall not be subject to any maximum building height or parking restrictions contained within the CCFBC. Properties zoned C-2 and located on Gray Street extending from Lahoma Avenue on the West to the railroad tracks on the East shall also be exempt from either the minimum parking requirements of the CCFBC or the C-2 parking requirements when redeveloped.

3. If CCPUD is chosen, the property owner and/or development applicant is required to comply with the rezoning process outlined within *Chapter 22. Section 442.1* of the City of Norman Code of Ordinances. The primary goal of the new CCPUD category is to provide flexibility (beyond that provided in *Section 206. Administrative Adjustments and Section 208. Designed Deviations*) when a property owner seeks to comply with the intent and goals of the FBC but seeks relief regarding specific requirements of the FBC. Examples of development seeking relief might be, but are not limited to, construction of affordable housing, or housing that encourages aging in place, or other emerging trends in housing.

* * *

B. Incentives

The following incentives will be provided to encourage property owners and/or applicants to use the CCFBC. ~~(These incentives will be in place for a period of five years from the time of FBC adoption and then reevaluated.)~~

1. ~~Building permit fees reduced~~ Administrative approval of developments conforming to the Center City Form Based Code.
2. ~~Impact fees reduced or waived~~ Incentives identified by City Council under a properly adopted Project Plan for Tax Increment Financing.

* * *

Appendix B.

CENTER CITY PLANNED UNIT DEVELOPMENT

* * *

Specifically, the purposes of this section are to:

* * *

- (f) Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.

* * *

which motion was duly seconded by Councilmember Allison;

Participants in Discussion

1. Ms. Rebecca Bean, 1116 Caddell Lane, protestant
2. Ms. Cindy Rogers, 633 Reed Avenue, protestant
3. Ms. Cindy Rosenthal, 903 Carey Drive, made comments
4. Mr. Jeff Bryant, City Attorney
5. Ms. Vickie Walden, 1616 Sunrise Street, asked questions
6. Mr. Steve Ellis, 633 Reed Avenue, made comments
7. Mr. Dave Boeck, 922 Schulze Drive, protestant
8. Ms. Lee Hall, 648 South Lahoma Avenue, asked questions
9. Mr. Robert Husky, 3615 Chatham Court, made comments

Mayor Miller said we have an opinion from our City Attorney about what the consequences are for Council and I concur.

Item 24, continued:

Mr. Jeff Bryant, City Attorney, says Roberts Rules says if the Council moves forward and votes on the package the way the motion is currently made which is a Motion to Reject, they that will dispose of that particular motion and that particular issue before the body. Under Chapter 10, Renewal of Motions – Dilatory and Proper Motions, it specifically describes that you cannot bring up the same issue before the body unless you do a motion to reconsider. If there is no motion to reconsider, then that would preclude you from making a motion to adopt all six as a package in this particular session. That would be considered a dilatory motion so you could not approach it that way; however, Roberts Rules also provides that the parts of that motion could be considered individually or in different groupings of the body along as those groupings would present to the body a different issue than what they had previously disposed of. He said Council could go back and vote on each one of the amendments individually or in different groupings groupings such as 2 by 2 by 2, just so the body is not asking the body to vote on the very same item that they had already disposed of.

Mayor Miller asked if this applied regardless of whether Council votes to reject or not to reject?

Mr. Bryant said that is correct. The issue is “What was the issue placed before the body?” The issue that is placed before the body even with a motion and second to reject is whether or not to approve these six as a package.

Councilmember Clark moved that the Chair’s decision to accept the City Attorney’s opinion be overruled; which motion was duly seconded by Councilmember Hickman;

Councilmember Hickman called for the question. There were no objections to calling for the question.

and the question being upon overruling the Chair’s decision to accept the City Attorney’s opinion, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Chappel, Clark, Hickman, Holman, Karjala, Mayor Miller
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NAYES:	Councilmembers Allison and Heiple
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The Mayor declared the motion carried and the Chair’s decision to accept the City’s Attorney’s opinion was overruled.

and the question being upon rejecting consideration of the above-described six amendments as a package proposed by Councilmember Hickman to further amend Ordinance O-1617-35, as amended, a vote was taken with the following result

YEAS:	Councilmembers Allison and Heiple
NAYES:	Councilmembers Castleberry, Chappel, Clark, Hickman, Holman, Karjala Mayor Miller

The Mayor declared the motion failed and consideration of the following six amendments as a package proposed by Councilmember Hickman to further amend Ordinance O-1617-35, as amended, was not rejected.

Thereupon, Councilmember Hickman moved that the above-described six amendments as a package to further amend Ordinance O-1617-35, as amended, as stated above be approved; which motion was duly seconded by Councilmember Castleberry;

Participants in Discussion

1. Mr. Mike Myer, 412 Elmwood Avenue, asked questions
2. Mr. Mitch Baroff, 421 Park Drive, made comments
3. Mr. Mark Campbell, 517 North University Boulevard, asked questions
4. Ms. Marsha McDaris, 448 College Avenue

Item 24, continued:

and the question being upon approving further amending Ordinance O-1617-35, as amended, with the above-described six amendments as a package; a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Chappel,
Clark, Hickman, Holman, Karjala Mayor
Miller

NAYES: Councilmembers Allison and Heiple

The Mayor declared the motion carried and consideration of the above-described six amendments as a package to further amend Ordinance O-1617-35, as amended, were approved.

Thereupon, Councilmember Holman moved that Section 603 of Ordinance O-1617-35, as amended, be further amended to read as follows:

603. Minimum Parking Requirements

* * *

E. Achieving parking requirements:

* * *

5. Corner lots less than 12,900 total square feet shall only be required to comply with the parking setback line at the front of the property and not the side street. For purposes of this paragraph, the frontage street is the same as the street address.

* * *

which motion was duly seconded by Councilmember Hickman; and the question being upon further amending Section 603 of Ordinance O-1617-35, as amended, as stated above, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala Mayor Miller

NAYES: None

The Mayor declared the motion carried and Section 603 of Ordinance O-1617-35, as amended, was further amended as stated above.

Thereupon, Councilmember Castleberry moved that Section 403 of Ordinance O-1617-35 be further amended to read as follows:

403. Urban General Frontage

* * *

SITING

* * *

Buildable Area

1. The buildable area is delineated in the Diagram 403.b above.

* * *

3. A fee in lieu of the 15% minimum Private Open Area may be paid subject to approval by the Parks Board on a square footage basis of \$2.00 per square foot of the 15% Private Open Area. This fee shall be used for Public Open Space improvements within or adjacent to the City Center Area (such as Andrews Park or Legacy Trail.

* * *

Item 24, continued:

which motion was duly seconded by Councilmember Allison;

Participants in Discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Ms. Rebecca Bean, 1116 Caddell Lane, protestant

Councilmember Castleberry called for the question, which motion was seconded by Councilmember Holman;

Participants in Discussion

1. Mr. Jeff Bryant, City Attorney

and the question being on calling for the question, a vote was taken with the following result:

YEAS: None

NAYES: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, and Mayor Miller

The Mayor declared the motion failed and the question was not called.

and the question being upon further amending Section 403 of Ordinance O-1617-35, as amended, as stated above, a vote was taken with the following result

YEAS: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, and Holman

NAYES: Councilmembers Hickman, Karjala, and Mayor Miller

The Mayor declared the motion carried and Section 603 Ordinance O-1617-35, as amended, was further amended as stated above.

and the question being upon adopting Ordinance O-1617-35, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES: None

The Mayor declared the motion carried and Ordinance O-1617-35, as amended, was adopted on Second Reading section by section.

Thereupon, Councilmember Hickman moved that Ordinance O-1617-35, as amended, be adopted on Final Reading as a whole, which motion was duly seconded by Councilmember Clark; and the question being upon adopting Ordinance O-1617-35, as amended, upon Final Reading as whole, a vote was taken with the following result:

YEAS: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES: None

The Mayor declared the motion carried and Ordinance O-1617-35, as amended, was adopted upon Final Reading as a whole.

* * * * *

Item 25, being:

RESOLUTION R-1617-122: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE INTENT TO CONSIDER APPROVAL OF A PROJECT PLAN FOR CENTER CITY REDEVELOPMENT AND CREATION OF A TAX INCREMENT DISTRICT UNDER THE LOCAL DEVELOPMENT ACT; DIRECTING PREPARATION OF A PROJECT PLAN; APPOINTING A REVIEW COMMITTEE; DIRECTING THE REVIEW COMMITTEE TO MAKE FINDINGS AS TO ELIGIBILITY AND FINANCIAL IMPACT, IF ANY, ON TAXING JURISDICTIONS AND BUSINESS ACTIVITIES WITHIN THE DISTRICT; AND DIRECTING THE REVIEW COMMITTEE TO MAKE A RECOMMENDATION WITH RESPECT TO THE PROPOSED PROJECT.

Councilmember Hickman moved that Resolution R-1617-122 be adopted, which motion was duly seconded by Councilmember Karjala;

Items submitted for the record

1. Text File R-1617-122 dated May 19, 2017, by Brenda Hall, City Clerk
2. Resolution R-1617-122

Participants in Discussion

1. Ms. Emily Pomeroy, Center for Economic Development Law

and the question being upon adopting Resolution R-1617-122, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Resolution R-1617-122 was adopted.

* * * * *

Item 26, being:

MISCELLANEOUS DISCUSSION

Affordable Housing in Center City. Ms. Mark Campbell, 517 North University Boulevard, said many have said that the cost of lots and property taxes will go up under the Center City Form Based Code. He said he went to many of the meetings and many wanted more housing, but there was no provision for affordable housing.

Councilmember Holman said affordable housing is one of his biggest concerns. He said many people are being driven out of this area under the existing zoning and he hopes that Center City will allow more density and housing options that will lead to lower rents. He said the affordable housing issue should be worked on while Council is working on the Tax Increment Finance District (TIF) for Center City.

*

VisitNorman Comments. Ms. Deb Clark, 2134 Summer Drive, apologized for her comments earlier regarding VisitNorman. She said she was addressing a budget concern that there is a formalized coordinated comprehensive calendar that visitors can see and make judgment as to whether or not they will come to Norman based on all of the events that happen because there are many events that are not on that calendar.

*

Thanks to Everyone who Participated. Mayor Miller thanked everyone who stayed and participated this evening.

* * * * *

Item 27, being:

ADJOURNMENT

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

YEAS:

Councilmembers Allison, Castleberry,
Chappel, Clark, Heiple, Hickman,
Holman, Karjala, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and the meeting was adjourned at 1:05 p.m.

ATTEST:


Deputy City Clerk


Mayor

