

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

December 1, 2020

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Special Session in the Council Chambers of the Norman Municipal Building on the 1st day of December, 2020, at 5:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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ABSENT:	None
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The Pledge of Allegiance was led by Mayor Clark.

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Item 3, being:

CONSENT DOCKET

Councilmember Bierman moved that Item 4 through Item 17 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Foreman, and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 17, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Item 4 through Item 17 were placed on the consent docket by unanimous vote.

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Item 4, being:

CONSIDERATION OF ORDINANCE NO. O-2021-25 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 14-310 OF CHAPTER 14 ADDING AN ADMINISTRATIVE FINE FOR TRANSPORTING AN OPEN CONTAINER AND TRANSPORTING A FIREARM IMPROPERLY, ADDING ADMINISTRATIVE FINES FOR IMPROPER EQUIPMENT AND VEHICLE REGISTRATION VIOLATIONS CONSISTENT WITH CHAPTER 20, AND CLARIFYING WHEN ADMINISTRATIVE FINES ARE AVAILABLE FOR FIRST OFFENSES ONLY; SECTION 14-312 OF CHAPTER 14 TO CORRECT A TYPOGRAPHICAL ERROR; SECTION 14-503 OF CHAPTER 14 TO ELIMINATE A REFERENCE TO AN OBSOLETE SECTION OF THE CODE; SECTION 14-504 OF CHAPTER 14 TO CLARIFY THAT DEFERRED SENTENCING IS ALSO AVAILABLE UPON A PLEA OF NOLO CONTENDRE; SECTION 20-210 OF CHAPTER 20 CLARIFYING REFERENCES TO OTHER SECTIONS AND ADDING A PENALTY APPLICABLE TO VIOLATIONS OF SECTION 20-543, CARRYING OF SECURITY VERIFICATION FORM WHILE OPERATING VEHICLE; SECTION 20-526 OF CHAPTER 20 ELIMINATING VIOLATION FOR DRIVING UNDER THE INFLUENCE OF AN INTOXICANT CONSISTENT WITH STATE LAW; SECTION 20-701 OF CHAPTER 20 MAKING AUTHORITY TO IMPOUND VEHICLES FOR EXPIRED LICENSE TAG CONSISTENT WITH STATE LAW; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Carter moved that Ordinance O-2021-25 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Foreman;

Item 4, continued:

Items submitted for the record

- 1. City Council Staff Report O-2021-25 dated November 13, 2020, by Anthony Purinton, Assistant City Attorney
- 2. Ordinance O-2021-25
- 3. Legislatively notated copy of Ordinance O-2021-25

and the question being upon the Introduction and adoption of Ordinance O-2021-25 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

The Mayor declared the motion carried and Ordinance O-2021-25 was Introduced, read, and adopted upon First Reading by title.

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Item 5, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR’S INVESTMENT REPORT AS OF OCTOBER 31, 2020, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

- 1. Text File RPT-2021-25 dated November 18, 2020, by Anthony Francisco, Finance Director
- 2. Finance Director's Investment Report of October 31, 2020

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 Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
NAYES:	None

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

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Item 6, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF OCTOBER, 2020 AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

- 1. Text File RPT-2021-26 dated November 18, 2020, by Stacey Parker, Executive Assistant
- 2. Monthly Departmental Reports for the month of October, 2020

Item 6, continued:

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 Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File RPT-2021-22 dated October 27, 2020, by Brenda Hall, City Clerk
2. Memorandum dated October 9, 2020, from Carrie Evenson, Stormwater Program Manager, through Shawn O'Leary, Director of Public Works, to Darrel Pyle, City Manager
3. Contract K-2021-59 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; Exhibit C-1, the Vineyard Neighborhood FEMA Hazard Mitigation Assistance Grant; and Attachment D, Owner's Responsibilities
4. Memorandum dated October 29, 2020, from Chris Mattingly, Director of Utilities, to Darrel Pyle, City Manager
5. Change Order No. Two to Contract K-1819-44
6. Memorandum dated November 5, 2020, from Chris Mattingly, P.E., Director of Utilities, to Darrel Pyle, City Manager
7. Change Order No. Two to Contract K-1920-46
8. Memorandum dated October 28, 2020, from Chris Mattingly, Director of Utilities, to Darrel Pyle, City Manager
9. Change Order No. Three to Contract K-1920-73
10. Memorandum dated November 13, 2020, from Jack Burdett, Subdivision Development Manager, through Shawn O'Leary, Director of Public Works, and Scott Sturtz, City Engineer, to Darrel Pyle, City Manager
11. Change Order No. Three to Contract K-1920-13

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 Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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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:

CONSIDERATION AND AWARDING OF BID 2021-27 FOR THE PURCHASE OF AGGREGATE AND STONE FOR THE LINE MAINTENANCE DIVISION.

Acting as the Norman Utilities Authority, Trustee Carter moved that the bid as meeting specifications on Section 1 be accepted and the bid be awarded to Bernie Mathes Trucking, Inc., in the amount of \$16.15 per ton as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Foreman;

Items submitted for the record

1. City Council Staff Report BID-1920-27 dated November 2, 2020, by David Hager, Line Maintenance Superintendent
2. Bid tabulation dated November 24, 2020, for Aggregate Materials, Section 1, 1 1/2-inch per ton

and the question being upon accepting the bid as meeting specifications on Section 1 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Trustees Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Chairman Clark
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NAYES:	None
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The Chairman declared the motion carried and the bid as meeting specifications on Section 1 accepted; and the bid was awarded to Bernie Mathes Trucking, Inc., in the amount of \$16.15 per ton.

Thereupon, Trustee Carter moved that all bids meeting specifications on Section 2 be accepted and the bid be awarded to Bob Cunningham, Inc., in the amount of \$9.70 per ton as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Foreman;

Items submitted for the record

1. City Council Staff Report BID-1920-27 dated November 2, 2020, by David Hager, Line Maintenance Superintendent
2. Bid tabulation dated November 24, 2020, for Aggregate Materials, Section 2, Fill Sand

and the question being upon accepting all bids meeting specifications on Section 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Trustees Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Chairman Clark
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications on Section 2 accepted; and the bid be awarded to Bob Cunningham, Inc., in the amount of \$9.70 per ton as the lowest and best bidder meeting specifications.

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Item 9, being:

AUTHORIZATION FOR THE PURCHASE OF TWO (2) FLYGT SUBMERSIBLE PUMPS FROM AUTOMATIC ENGINEERING IN THE AMOUNT OF \$69,077 FOR THE POST OAK LIFT STATION REHABILITATION PROJECT.

Acting as the Norman Utilities Authority, Trustee Carter moved that authorization for the purchase of two (2) Flygt Submersible Pumps in the amount of \$69,077 from Automatic Engineering for the Post Oak Lift Station be approved; which motion was duly seconded by Trustee Foreman;

Item 9, continued:

Items submitted for the record

1. City Council Staff Report GID-2021-122 dated November 2, 2020, by David Hager, Line Maintenance Superintendent
2. Proposal #OP-512099 dated October 28, 2020, from Automatic Engineering in the amount of \$69,077
3. Sole Source letter dated May 4, 2020, from Mark A. Shaw, Territory Manager, Flygt Products, To Whom It May Concern

and the question being upon approving authorization for the purchase of two (2) Flygt Submersible Pumps in the amount of \$69,077 from Automatic Engineering for the Post Oak Lift Station, a vote was taken with the following result:

YEAS:

Trustees Bierman, Carter, Foreman, Hall,
Holman, Nash, Peacock, Petrone,
Chairman Clark

NAYES:

None

The Chairman declared the motion carried and authorization for the purchase of two (2) Flygt Submersible Pumps in the amount of \$69,077 from Automatic Engineering for the Post Oak Lift Station was approved.

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Item 10, being:

FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT K-1920-21 BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND AMERICAN RAMP COMPANY FOR THE ANDREWS PARK SKATE PARK CONSTRUCTION PROJECT.

Acting as the Norman Municipal Authority, Trustee Carter moved that the project be accepted and final payment in the amount of \$70,513.20 be directed to American Ramp Company, which motion was duly seconded by Trustee Foreman;

Items submitted for the record

1. Text File K-1920-21, Final, dated November 9, 2020, by James Briggs, Park Planner

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

YEAS:

Trustees Bierman, Carter, Foreman, Hall,
Holman, Nash, Peacock, Petrone,
Chairman Clark

NAYES:

None

The Chairman declared the motion carried and the project accepted; and final payment in the amount of \$70,513.20 be directed to American Ramp Company.

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Item 11, being:

AMENDMENT NO. THREE TO CONTRACT K-1920-32: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA EXTENDING THE TERM OF THE LEASE AGREEMENT FOR OFFICE SPACE, SERVICE BAYS, FLEET STORAGE, AND WAREHOUSE/GARAGE SPACE TO BE USED FOR PROVIDING TRANSPORTATION SERVICES UNTIL SEPTEMBER 30, 2021, OR UPON SUBSTANTIAL COMPLETION AND OCCUPATION OF THE NORTH BASE COMPLEX PROJECT, PHASE I, BY THE CITY OF NORMAN.

Councilmember Carter moved that Amendment No. Three to Contract K-1920-32 with the Board of Regents of the University of Oklahoma be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Foreman;

Item 11, continued:

Items submitted for the record

1. City Council Staff Report K-1920-32, Amendment No. Three, dated November 11, 2020, by Taylor Johnson, Public Transit Coordinator
2. Amendment No. Three to Contract K-1920-32
3. Amendment No. Two to Contract K-1920-32
4. Amendment No. One to Contract K-1920-32
5. Contract K-1920-32 with Appendix A, Site Plan showing Office Space; Shared/non-exclusive Space; and Optional Office Space

and the question being upon approving Amendment No. Three to Contract K-1920-32 with the Board of Regents of the University of Oklahoma, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Amendment No. Three to Contract K-1920-32 with the Board of Regents of the University of Oklahoma approved; and the execution thereof was authorized.

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Item 12, being:

AMENDMENT NO. ONE TO CONTRACT K-1920-51: AN AMENDMENT TO PIPELINE LICENSE WITH THE BNSF RAILWAY COMPANY FOR THE GRAY STREET WATERLINE REPLACEMENT PROJECT.

Acting as the Norman Utilities Authority, Trustee Carter moved that Amendment No. One to Contract K-1920-51 with the BNSF Railway Company be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Foreman;

Items submitted for the record

1. City Council Staff Report K-1920-51, Amendment No. One, dated November 13, 2020, by Nathan Madenwald, Utilities Engineer
2. Amendment No. One to Contract K-1920-51 with Exhibit "A", aerial location map
3. Project location map

and the question being upon approving Amendment No. One to Contract K-1920-51 with BNSF Railway Company, a vote was taken with the following result:

YEAS:	Trustees Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Chairman Clark
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NAYES:	None
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The Chairman declared the motion carried and Amendment No. One to Contract K-1920-51 with BNSF Railway Company approved; and the execution thereof was authorized.

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Item 13, being:

CONTRACT K-2021-72: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND MESHEK & ASSOCIATES, L.L.C., IN THE AMOUNT OF \$67,000 TO PROVIDE SERVICES FOR LINKING AS-BUILT RECORDS TO THE CITY GEOGRAPHIC INFORMATION SYSTEM FOR WATER AND SANITARY SEWER PROJECTS AND BUDGET APPROPRIATION.

Councilmember Carter moved that Contract K-2021-72 with Meshek & Associates, L.L.C., in the amount of \$67,000 be approved, the execution thereof be authorized, and \$33,500 be transferred to Project WA0239, Segment D Water Line Phase IV, Construction (31993360-46101) and \$33,500 from Project WW0058, Wastewater Effluent Reuse, Construction (3299911-46101) to Project WA0365, Miscellaneous Water Projects, Design (31993395-46201), which motion was duly seconded by Councilmember Foreman;

Items submitted for the record

1. City Council Staff Report K-2021-72 dated October 8, 2019, by Nathan Madenwald, Utilities Engineer
2. Contract K-2021-72 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation

and the question being upon approving Contract K-2021-72 with Meshek & Associates, L.L.C., in the amount of \$67,000 and upon the subsequent authorization and transfers, a vote was taken with the following result:

YEAS:

Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES:

None

The Mayor declared the motion carried and Contract K-1920-72 with Meshek & Associates, L.L.C., in the amount of \$67,000 approved; the execution thereof was authorized and \$33,500 was transferred to Project WA0239, Segment D Water Line Phase IV, Construction (31993360-46101) and \$33,500 from Project WW0058, Wastewater Effluent Reuse, Construction (3299911-46101) to Project WA0365, Miscellaneous Water Projects, Design (31993395-46201).

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Item 14, being:

CONTRACT K-2021-73: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY (NUA) AND CAROLLO ENGINEERS, INC. IN THE AMOUNT OF \$50,000 TO PROVIDE ENGINEERING SERVICES FOR 36-INCH FILTER EFFLUENT PIPE IMPROVEMENTS AT THE NORMAN WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Carter moved that Contract K-2021-73 with Carollo Engineers, Inc., in the amount of \$50,000 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Foreman;

Items submitted for the record

1. City Council Staff Report K-2021-73 dated November 18, 2020, by Kenneth Giannone, Capital Projects Engineer
2. Contract K-2021-73 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation

Item 14, continued:

and the question being upon approving Contract K-2021-73 with Carollo Engineers, Inc., in the amount of \$50,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Chairman Clark
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NAYES:	None
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The Chairman declared the motion carried and Contract K-2021-73 with Carollo Engineers, Inc. in the amount of \$50,000 approved; and the execution thereof was authorized.

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Item 15, being:

SPECIAL CLAIM SC-2021-5: SUBMITTED BY RICHARD WOLCOTT IN THE AGREED AMOUNT OF \$2,600 FOR VEHICLE DAMAGE THAT OCCURRED AS A RESULT OF A COLLISION WITH A CITY PARKS DEPARTMENT VEHICLE ON JULY 9, 2020, AT THE INTERSECTION OF 24TH AVENUE NE AND EAST ROBINSON STREET.

Councilmember Carter moved that Special Claim SC-2021-5 be approved and payment in the agreed amount of \$2,600 be directed contingent upon obtaining a Release and Covenant Not to Sue from Richard Wilcott, which motion was duly seconded by Councilmember Foreman;

Items submitted for the record

1. Text File SC-2021-5 dated September 13, 2020, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated September 15, 2020, from Brenda Hall, City Clerk, to Jud Foster, Director of Parks and Recreation and Kathryn Walker, City Attorney
3. Special Claim SC-2021-5 filed September 15, 2020, by Richard Earl Wolcott in the amount of \$3,623
4. Preliminary Estimate 668905 dated September 2, 2020, in the amount of \$3,623 from Collision Works of Norman
5. Official Oklahoma Traffic Collision Report dated July 9, 2020
6. Photograph of damage to vehicle

and the question being upon approving Special Claim SC-2021-5 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark
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NAYES:	None
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The Mayor declared the motion carried and Special Claim SC-2021-5 approved; and payment in the agreed amount of \$2,600 was directed contingent upon obtaining a Release and Covenant Not to Sue from Richard Wolcott.

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Item 17, being:

RESOLUTION R-2021-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING CARES ACT REIMBURSEMENT FUNDING IN THE AMOUNT OF \$1,000,000 RECEIVED FROM THE STATE OF OKLAHOMA FROM THE GENERAL FUND MISCELLANEOUS GRANT REIMBURSEMENTS ACCOUNT TO BE USED FOR SMALL BUSINESS AND NON-PROFIT AGENCIES RELIEF GRANTS.

Councilmember Carter moved that Resolution R-2021-69 be adopted, which motion was duly seconded by Councilmember Foreman;

Items submitted for the record

1. Text File R-2021-69 dated November 19, 2020, by Anthony Francisco, Finance Director
2. Resolution R-2021-69

and the question being upon adopting Resolution R-2021-69, a vote was taken with the following result:

YEAS: Councilmembers Bierman, Carter, Foreman, Hall, Holman, Nash, Peacock, Petrone, Mayor Clark

NAYES: None

The Mayor declared the motion carried and Resolution R-2021-69 was adopted.

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Council Comments

CARE Grants. Councilmember Bierman said she had spoken to two people who administer grants and they offered suggestions about the selection process. She said before the selection process begins, all applications should be done "Blind"; with no applicant's name and no business name on the application. This will ensure that the people selecting the grants are impartial. The second point is that Council and the public should be informed of who will be receiving the grants in order to remain transparent.

Mr. Darrel Pyle, City Manager, said he and Sara Kaplan, Retail Market Coordinator, had previously discussed this and absolutely agree about the "Blind" process.

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COVID-19 Testing. Mayor Clark said she had received information from the Cleveland County Health Department regarding COVID-19 Testing. She said the extra CARES money provided to IMMY for COVID-19 testing will run out on Thursday, December 3rd. She said last week IMMY tested 32,000 people. She said after December 3rd there will be no free testing for our residents. She asked IMMY how much money it would take to get through the month of December and was told \$2,000,000. She said the cost for testing is \$135 per test. She plans to reach out to our partners at Cleveland County to see if they have extra CARES funding. She said the Health Department had told there would not be another round of funding.

Mr. Darrel Pyle, City Manager, said he reached out to IMMY last month to see how much testing could be done with the remaining CARES funding and asked how many tests could be done for \$1,000,000. He said the response from IMMY was that there was another round of CARES money coming and to save our money. He said that additional money was gone after 4 weeks because many people went to be tested before they joined their families for Thanksgiving.

Councilmember Petrone said the cost at Norman Regional Health Systems is \$65 per test and she was told they would be more than happy to partner with the City to do testing. She asked if the Veteran-Owned and Women-Owned businesses that apply for the CARES grant would be categorized as a minority. She said it was important that Non-Profits be included in the grant process.

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Item 18, being:

ADJOURNMENT

The Mayor adjourned the meeting at 5:44 p.m.

ATTEST:

Brenda Hall

City Clerk

[Signature]

Mayor

