

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

February 13, 2018

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 13th day of February, 2018, 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, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

ABSENT:

Councilmembers Castleberry and
Clark

The Pledge of Allegiance was led by Mayor Miller.

* * * * *

Item 3, being:

CONSENT DOCKET

Councilmember Homan moved that Item 4 through Item 28 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Hickman; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 28, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Item 4 through Item 28 were placed on the consent docket by unanimous vote.

* * * * *

Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF NOVEMBER 8, 2017
CITY COUNCIL CONFERENCE MINUTES OF DECEMBER 19, 2017
CITY COUNCIL CONFERENCE OF JANUARY 9, 2018
CITY COUNCIL STUDY SESSION MINUTES OF JANUARY 16, 2018
CITY COUNCIL SPECIAL SESSION MINUTES OF JANUARY 23, 2018
CITY COUNCIL MINUTES OF JANUARY 23, 2018
NORMAN UTILITIES AUTHORITY MINUTES OF JANUARY 23, 2018
NORMAN MUNICIPAL AUTHORITY MINUTES OF JANUARY 23, 2018
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JANUARY 23, 2018

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

Item 4, continued:

Items submitted for the record

1. Text File GID-1718-21 dated February 5, 2018, by Brenda Hall, City Clerk
2. City Council Oversight Committee minutes of November 8, 2017
3. City Council Conference minutes of December 19, 2017
4. City Council Conference minutes of January 9, 2018
5. City Council Study Session minutes of January 16, 2018
6. City Council Special Session minutes of January 23, 2018
7. City Council minutes of January 23, 2018
8. Norman Utilities Authority minutes of January 23, 2018
9. Norman Municipal Authority minutes of January 23, 2018
10. Norman Tax Increment Finance Authority minutes of January 23, 2018

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

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

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

* * * * *

Item 5, being:

CONSIDERATION OF ORDINANCE O-1718-28 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE EAST HALF OF LOTS SEVEN (7) THROUGH SIXTEEN (16), IN BLOCK NINETY (90), ORIGINAL TOWNSITE OF NORMAN AND THE WEST FIFTY (50) FEET OF PARK AVENUE ADJACENT TO LOTS SEVEN THROUGH SIXTEEN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (410, 414 AND 416 PARK AVENUE)

Councilmember Holman moved that Ordinance O-1718-28 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File O-1718-28 dated December 21, 2017, by Janay Greenlee, Planner
2. Ordinance O-1718-28
3. Location map
4. Planning Commission Staff Report dated January 11, 2018, recommending approval
5. Park Avenue Simple Planned Unit Development (SPUD) Application for Rezoning dated January 4, 2018, prepared by Sean Paul Rieger, OBS #18817, Attorney for Applicant, with Exhibit A, Proposed SPUD Site Development Plan; Exhibit B, Proposed Preliminary Plat; and Exhibit C, Proposed Open Space
6. Protest Map dated January 10, 2018, containing 28.4% Protest within Notification Area
7. Letter of protest received January 8, 2018, from Carol Jacob and Dan Boone
8. Petition of protest filed January 8, 2018, containing signatures of 30 property owners
9. Letter of protest filed January 8, 2018, from George Ahmadi
10. Petition of protest filed January 8, 2018 containing signatures of 3 property owners
11. Pertinent excerpts from Planning Commission minutes of January 11, 2018

Item 5, continued:

and the question being upon the Introduction and adoption of Ordinance O-1718-28 upon First Reading by title, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Ordinance O-1718-28 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 6, being:

CONSIDERATION OF ORDINANCE O-1718-29 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PLANNED UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE NO. O-1415-22, TO AMEND THE PUD NARRATIVE TO ALLOW A RESIDENCE FOR AN ON-SITE MANAGER AND TO CLARIFY EXTERIOR MASONRY REQUIREMENTS FOR LOT TWO (2) OF BLOCK ONE (1), EAST RIDGE PLACE 1, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1331 24TH AVENUE S.E.)

Councilmember Holman moved that Ordinance O-1718-29 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File O-1718-29 dated December 21, 2017, by Jane Hudson, Principal Planner
2. Ordinance O-1718-29
3. Location map
4. Planning Commission Staff Report dated January 11, 2018, recommending approval
5. East Ridge Place Planned Unit Development (PUD) Application for Rezoning dated January 4, 2018, prepared by Sean Paul Rieger, OBS #18817, Rieger Law Group, P.L.L.C., Attorney for Applicant, with Exhibit A, Preliminary Site Development Plan; Exhibit B, Open Space; and Exhibit C, Area of Spray-on Stucco Coating
6. Pertinent excerpts from Planning Commission minutes of January 11, 2018

and the question being upon the Introduction and adoption of Ordinance O-1718-29 upon First Reading by title, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Ordinance O-1718-29 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE O-1718-30 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT TWO (2), IN BLOCK ONE (1), REPLAT OF LOT 2 BLOCK 1 SPRING BROOK ADDITION SECTION 4, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE RM-2, LOW DENSITY APARTMENT DISTRICT, AND PLACE THE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (801 36TH AVENUE N.W.)

Councilmember Holman moved that Ordinance O-1718-30 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File O-1718-30 dated December 21, 2017, by Janay Greenlee, Planner
2. Ordinance O-1718-30
3. Location map
4. Planning Commission Staff Report dated January 11, 2018, recommending approval
5. Springbrook Office Suites Simple Planned Unit Development Application for Rezoning and Application for Norman 2025 Plan Change dated January 4, 2018, prepared by Sean Paul Rieger, OBA #18817, Rieger Law Group, P.L.L.C., Attorney for Applicant with Exhibit A, Proposed SPUD Site Development Plan, Legal Description, Site Information, and Building Summary; Exhibit B, Signage on West (Front) Elevation of Building, Proposed Site Plan, and West Elevation
6. City of Norman Predevelopment Case PD 17-28 dated November 16, 2017, for Wally Kerr for property located at 801 36th Avenue N.W.
7. Protest Map dated January 10, 2018, containing 45.3% Protest Within Notification Area
8. Letter of protest received December 28, 2017, from Pat Carroll
9. Letter of protest received January 4, 2018, from Rick Short with attached photograph
10. Letter of protest dated December 20, 2017, from Barry and Sarah Feuerborn
11. Letter of protest dated December 11, 2017, from Barry and Sarah Feuerborn
12. Letter of protest filed December 28, 2017, from Rodney L. Higgins
13. Letter of protest filed December 27, 2017, from Ken Dragg, President, Performance Properties, Ltd.
14. Letter of protest filed December 20, 2017, from Kelley Spelman
15. Letter of protest filed December 27, 2017, from Robert G. Paul
16. Letter of protest filed December 28, 2017, from Ronald Besses
17. Letter of protest filed January 3, 2018, from John A. Grider
18. Letter of protest filed December 28, 2017, from William J. Turner
19. Letter of protest filed December 22, 2017, from Mary Atkins
20. Letter of protest filed December 20, 2017, from Robert J. Huskey
21. Letter of protest filed December 29, 2017, from June Pfenning
22. Letter of protest filed December 27, 2017, from Raymond R. and Deborah A. Anders
23. Letter of protest filed December 29, 2017, from Raymond R. and Deborah A. Anders
24. Letter of protest filed January 8, 2018, from Ronald L. Morris
25. Letter of protest filed December 29, 2017, from Ilene Dibert
26. Letter of protest filed December 29, 2017, from Stephen R. Cain
27. Letter of protest filed December 29, 2017, from Michelle M. Robertson
28. Letter of protest filed January 5, 2018, from Paul Ely
29. Letter of protest filed January 2, 2018, from David Macy and Paula Sosbee
30. Letter of protest filed January 3, 2018, from Mary Elwell
31. Letter of protest filed January 2, 2018, from Mike and Melinda Laird
32. Letter of protest filed December 29, 2017, from Robert Fluke, Trustee of the Fluke Trust
33. Letter of protest filed December 29, 2017, from Jack C. Shilling
34. Letter of protest filed December 29, 2017, from Michael Seule
35. Letter of protest filed January 2, 2018, from Keith and Greta Pigg
36. Letter of protest filed January 2, 2018, from Joe Wilhite
37. Letter of protest filed January 2, 2018, from Bill Bodin
38. Letter of protest filed January 2, 2018, from Larissa Balzer
39. Letter of protest dated December 19, 2017, from Tom and Cynthia Montgomery
40. Letter of protest filed January 8, 2018, from Sherri Stansel
41. Letter of protest filed January 8, 2018, from Karen L. Chapman
42. Pertinent excerpts from Planning Commission minutes of January 11, 2018

Item 7, continued:

and the question being upon the Introduction and adoption of Ordinance O-1718-30 upon First Reading by title, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Ordinance O-1718-30 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

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

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

Items submitted for the record

1. Text File RPT-1718-44 dated February 1, 2018, by Brenda Hall, City Clerk
2. Memorandum dated December 19, 2017, from Terry Floyd, Development Coordinator, to Steve Lewis, City Manager
3. Change Order No. Four to Contract K-1617-83, Central Library
4. Memorandum dated December 19, 2017, from Terry Floyd, Development Coordinator, to Steve Lewis, City Manager
5. Change Order No. Four to Contract K-1617-68, East Branch Library

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, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

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

* * * * *

Item 9, being:

AUTHORIZATION FOR THE NORMAN UTILITIES AUTHORITY TO PURCHASE SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SOFTWARE FROM GRAY MATTER SYSTEMS, L.L.C., IN THE AMOUNT OF \$37,712.08 FOR THE WATER TREATMENT PLANT.

Acting as the Norman Utilities Authority, Trustee Holman moved that authorization for the purchase of SCADA software from Gray Matter Systems, L.L.C., in the amount of \$37,712.08 for the Water Treatment Plant be approved, which motion was duly seconded by Trustee Wilson;

Items submitted for the record

1. Text File GID-1718-79 dated January 17, 2018, by Geri Wellborn, Water Treatment Plant Manager
2. Request for Quotes dated January 18, 2018, for Water Treatment Plant Reporting Software
3. Water Treatment Plant Reporting Software Bid from Gray Matter Systems, L.L.C., in the amount of \$37,712.08
4. Purchase Requisition 0000289027 dated January 17, 2018, in the amount of \$37,712.08 to Gray Matter Systems, L.L.C.

Item 12, continued:

and the question being upon approving authorization for the purchase of SCADA software from Gray Matter Systems, L.L.C., in the amount of \$37,712.08 for the Water Treatment Plant, a vote was taken with the following result:

YEAS: Trustees Allison, Bierman, Hickman,
Holman, Karjala, Wilson, Chairman
Miller

NAYES: None

The Chairman declared the motion carried and authorization for the purchase of s SCADA software from Gray Matter Systems, L.L.C., in the amount of \$37,712.08 for the Water Treatment Plant was approved.

* * * * *

Item 10, being:

CONSIDERATION OF AWARDING BID 1718-30, APPROVAL OF CONTRACT K-1718-82 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PRECISION CONCRETE CUTTING OF OKLAHOMA, L.L.C, IN THE AMOUNT OF \$133,306; PERFORMANCE BOND B-1718-44; STATUTORY BOND B-1718-45; AND MAINTENANCE BOND MB-1718-28 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CORE AREA SIDEWALK PROJECT, PHASE 2.

Councilmember Holman moved that the bid as meeting specifications be accepted; the bid in the amount of \$133,306 be awarded to Precision Concrete Cutting of Oklahoma, L.L.C., as the lowest and best bidder meeting specifications; Contract K-1718-82 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; and the filing of the bonds be directed, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File K-1718-82 dated January 25, 2018, by Lisa Krieg, CDBG Grants Manager
2. Location map
3. Tabulation of bids dated November 30, 2017, for Core Area, Phase 2 Horizontal Saw Cut Project
4. Contract K-1718-82
5. Performance Bond B-1718-44
6. Statutory Bond B-1718-45
7. Maintenance Bond MB-1718-28
8. Purchase Requisition 0000289362 dated January 29, 2018, in the amount of \$133,306 to Precision Concrete Cutting of Oklahoma, L.L.C.

Participants in discussion

1. Ms. Lisa Krieg, CDBG Grants Manager

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, and directive, a vote was taken with the following result:

YEAS: Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES: None

The Mayor declared the motion carried and the bid as meeting specifications accepted; the bid in the amount of \$133,306 was awarded to Precision Concrete Cutting of Oklahoma, L.L.C., as the lowest and best bidder meeting specifications; Contract K-1718-82 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; and the filing of the bonds was directed.

* * * * *

Item 11, being:

CONSIDERATION OF AWARDING BID 1718-31, APPROVAL OF CONTRACT K-1718-83 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PRECISION CONCRETE CUTTING OF OKLAHOMA, L.L.C, IN THE AMOUNT OF \$149,400; CHANGE ORDER NO. ONE DECREASING THE CONTRACT AMOUNT BY \$108,260.78 FOR A REVISED CONTRACT AMOUNT OF \$41,139.22; PERFORMANCE BOND B-1718-46; STATUTORY BOND B-1718-47; AND MAINTENANCE BOND MB-1718-29 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COLONIAL ESTATES HORIZONTAL SAW CUTTING PROJECT.

Councilmember Holman moved that the bid as meeting specifications be accepted; the bid in the amount of \$149,400 be awarded to Precision Concrete Cutting of Oklahoma, L.L.C., as the lowest and best bidder meeting specifications; Contract K-1718-83, Change Order No. One decreasing the contract amount by \$108,260.78 for a revised contract amount of \$41,139.22, and the performance, statutory, and maintenance bonds be approved; execution of the contract, change order, and bonds be authorized; and the filing of the bonds be directed, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File K-1718-83 dated January 29, 2018, by Lisa Krieg, CDBG Grants Manager
2. Location map
3. Tabulation of bids dated November 30, 2017, for Core Area, Phase 2 Horizontal Saw Cut Project
4. Contract K-1718-83
5. Change Order No. One to Contract K-1718-83
6. Performance Bond B-1718-46
7. Statutory Bond B-1718-47
8. Maintenance Bond MB-1718-29
9. Purchase Requisition 0000289361 dated January 29, 2018, in the amount of \$41,139.22 to Precision Concrete Cutting of Oklahoma, L.L.C.

Participants in discussion

1. Ms. Lisa Krieg, CDBG Grants Manager

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, and directive, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman, Hickman, Holman, Karjala, Wilson, Mayor Miller

NAYES:

None

The Mayor declared the motion carried and the bid as meeting specifications accepted; the bid in the amount of \$149,400 was awarded to Precision Concrete Cutting of Oklahoma, L.L.C., as the lowest and best bidder meeting specifications; Contract K-1718-83, Change Order No. One decreasing the contract amount by \$108,260.78 for a revised contract amount of \$41,139.22, and the performance, statutory, and maintenance bonds were approved; execution of the contract, change order, and bonds was authorized; and the filing of the bonds was directed.

* * * * *

Item 12, being:

CONSIDERATION AND AWARDING OF BID 1718-38 FOR THE INSTALLATION OF PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Holman moved that the bid as meeting specifications on Sections 1 and 2 be accepted and the bid be awarded to Action Safety Supply Company as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Wilson;

Item 12, continued:

Items submitted for the record

1. Text File BID-1718-38 dated February 5, 2018, by Dennis W. Davis, Traffic Control Supervisor
2. Bid tabulation for Section One, Pavement Markings, and Section 2, Raised Pavement Markers, Class C
3. Location maps of Delineated Roadways west of 48th Avenue East and East of 48th Avenue East

and the question being upon accepting the bid as meeting specifications on Sections 1 and 2, and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and the bid as meeting specifications on Sections 1 and 2 accepted; and the bid was awarded to Action Safety Supply Company as the lowest and best bidder meeting specifications.

* * * * *

Item 13, being:

EASEMENT E-1718-43: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM BRANDON SCOTT STEPHENS, TRUSTEE OF THE HERITAGE-INFINITY LIVING TRUST DATED SEPTEMBER 17, 2014, IN THE AMOUNT OF \$8,975 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECT #2 AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Holman moved that Easement E-1718-43 be accepted, the filing thereof with the Cleveland County Clerk and payment in the amount of \$8,975 to Brandon Scott Stevens, Trustee of the Heritage-Infinity Living Trust, be directed; and \$8,975 be transferred from Project GC0064, Rock Creek/108th NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01), which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File E-1718-43 dated January 30, 2018, by Tim Miles, Capital Projects Engineer
2. Location map of City and County Disaster Relief Project Locations
3. Easement E-1718-43 with attached location map; legal description; Consent to Easement, Partial Release of Mortgage, and Partial Lien Waiver; and Trust Certification
4. CDBG-DR Project No. 2 Right-of-Way Easement Table
5. Table listing location of Projects 1-7
6. Table listing location of Projects 8 and 9
7. Purchase Requisition 0000289831 dated February 6, 2018, in the amount of \$8,975 to Brandon Scott Stevens, Trustee of the Heritage-Infinity Living Trust

and the question being upon accepting Easement E-1718-43 and upon the subsequent directives and transfer, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Easement E-1718-43 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$8,975 to Brandon Scott Stevens, Trustee of the Heritage-Infinity Living Trust, were directed and \$8,975 was transferred from Project GC0064, Rock Creek/108th NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01).

* * * * *

Item 14, being:

EASEMENT E-1718-44: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM WILLIAM FRANKLIN SCHMID IN THE AMOUNT OF \$610 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECT #2 AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Holman moved that Easement E-1718-44 be accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$610 to William Franklin Schmid be directed; and \$610 be transferred from Project GC0064, Rock Creek/108th NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01), which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File E-1718-44 dated January 30, 2018, by Tim Miles, Capital Projects Engineer
2. Location map of City and County Disaster Relief Project Locations
3. Easement E-1718-44 with attached location map and legal description
4. CDBG-DR Project No. 2 Right-of-Way Easement Table
5. Table listing location of Projects 1-7
6. Table listing location of Projects 8 and 9
7. Purchase Requisition 0000289840 dated February 6, 2018, in the amount of \$8,550 for Easement E-1718-44 and Easement E-1718-45 to William Franklin Schmid

and the question being upon accepting Easement E-1718-44 and upon the subsequent directives and transfer, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Easement E-1718-44 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$610 to William Franklin Schmid were directed and \$610 was transferred from Project GC0064, Rock Creek/108th NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01).

* * * * *

Item 15, being:

EASEMENT E-1718-45: CONSIDERATION OF ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM WILLIAM FRANKLIN SCHMID IN THE AMOUNT OF \$7,940 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECT #2 AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Councilmember Holman moved that Easement E-1718-45 be accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$7,940 to William Franklin Schmid be directed; and \$7,940 be transferred from Project GC0064, Rock Creek/108th NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01), which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File E-1718-45 dated January 30, 2018, by Tim Miles, Capital Projects Engineer
2. Location map of City and County Disaster Relief Project Locations
3. Easement E-1718-45 with attached location map and legal description
4. CDBG-DR Project No. 2 Right-of-Way Easement Table
5. Table listing location of Projects 1-7
6. Table listing location of Projects 8 and 9
7. Purchase Requisition 0000289840 dated February 6, 2018, in the amount of \$8,550 for Easement E-1718-44 and Easement E-1718-45 to William Franklin Schmid

Item 15, continued:

and the question being upon accepting Easement E-1718-45 and upon the subsequent directives and transfer, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Easement E-1718-45 accepted; the filing thereof with the Cleveland County Clerk and payment in the amount of \$7,940 to William Franklin Schmid were directed and \$7,940 was transferred from Project GC0064, Rock Creek/108th NE: 120 NE, Construction (021-4000-463.61-01) to Project GC0065, 120th SE/Etowah: SH-9, Land (021-4000-463.60-01).

* * * * *

Item 16, being:

CONSIDERATION OF ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$5,000 FROM ADT SECURITY SYSTEMS TO BE USED BY THE NORMAN FIRE DEPARTMENT AND BUDGET APPROPRIATION.

Councilmember Holman moved that a donation in the amount of \$5,000 from ADT Security Systems to be used at the City of Norman Fire Department be accepted, Citizen Donations (010-0000-365.13-72) be increased by \$5,000, and \$5,000 be appropriated to Maintenance & Repair Services/Buildings and Facilities (010-6443-422.42-10), which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File GID-1718-80 dated December 28, 2017, by Travis King, Fire Chief

and the question being upon accepting a donation in the amount of \$5,000 from ADT Security Systems to be used by the City of Norman Fire Department and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and a donation in the amount of \$5,000 from ADT Security Systems to be used at the City of Norman Fire Department accepted; Citizen Donations (010-0000-365.13-72) was increased by \$5,000 and \$5,000 was appropriated to Maintenance & Repair Services/Buildings and Facilities (010-6443-422.42-10).

* * * * *

Item 17, being:

CONSIDERATION OF ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$550 FROM NORTH SHORES ANIMAL LEAGUE AMERICA TO BE USED AT THE NORMAN ANIMAL WELFARE CENTER AND BUDGET APPROPRIATION.

Councilmember Holman moved that a donation in the amount of \$550 from North Shores Animal League America to be used at the Norman Animal Welfare Center be accepted, Citizen Donations (010-0000-365.13-72) be increased by \$550, and \$550 be appropriated to Minor Equipment & Tools/Minor Office (010-6070-441.36-05), which motion was duly seconded by Councilmember Wilson;

Item 17, continued:

Items submitted for the record

1. Text File GID-1718-65 dated January 17, 2018, by Captain Brent Barbour, Animal Welfare

and the question being upon accepting a donation in the amount of \$550 from North Shores Animal League America to be used by the Norman Animal Welfare Center and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES: None

The Mayor declared the motion carried and a donation in the amount of \$550 from North Shores Animal League America to be used at the Norman Fire Department accepted; Citizen Donations (010-0000-365.13-72) was increased by \$550 and \$550 was appropriated to Minor Equipment & Tools/Minor Office (010-6070-441.36-05).

* * * * *

Item 18, being:

AMENDMENT NO. TWO TO CONTRACT K-1516-44: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ATKINS NORTH AMERICA, INC., INCREASING THE CONTRACT AMOUNT BY \$291,900 FOR A REVISED CONTRACT AMOUNT OF \$2,524,532 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECTS 2, 4, 7 AND 8 AND BUDGET TRANSFERS BETWEEN PROJECT ACCOUNTS

Councilmember Holman moved that Amendment No. Two to Contract K-1516-44 with Atkins North America, Inc., increasing the contract amount by \$291,900 for a revised contract amount of \$2,524,532 be approved, the execution thereof be authorized, and \$226,950 be appropriated from Project GC0066, 84th NE/Rock Creek to N. End, Design (021-4000-463.62.01) designating \$101,500 to Project GC0065, 120th Ave SE/Etowah: SH9, Design (021-4000-463.62-01) and \$125,450 to Project GC0067, 120th NE: Tecumseh-Stella, Design (021-4000-463.62-01); which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File K-1516-44, Amendment No. Two, dated January 30, 2018, by Tim Miles, Capital Projects Engineer
2. Location map of City and County Disaster Relief Project Locations
3. Amendment No. Two to Contract K-1516-44 with Attachment C, Compensation
4. Contract K-1516-44 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
5. Amendment No. One to Contract K-1516-44 with Attachment B, Project Schedule, and Attachment C, Compensation
6. Contract fee schedule
7. Table listing location of Projects 1-7
8. Table listing location of Projects 8 and 9
9. Purchase Requisition 0000289852 dated February 6, 2018, in the amount of \$291,900 to Atkins North America

Item 18, continued:

and the question being upon approving Amendment No. Two to Contract K-1516-44 with Atkins North America, Inc., increasing the contract amount by \$291,900 for a revised contract amount of \$2,524,532 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES: None

The Mayor declared the motion carried and Amendment No. Two to Contract K-1516-44 with Atkins North America, Inc., increasing the contract amount by \$291,900 for a revised contract amount of \$2,524,532 approved; the execution thereof was authorized and \$226,950 was appropriated from Project GC0066, 84th NE/Rock Creek to N. End, Design (021-4000-463.62.01) designating \$101,500 to Project GC0065, 120th Ave SE/Etowah: SH9, Design (021-4000-463.62-01) and \$125,450 to Project GC0067, 120th NE: Tecumseh-Stella, Design (021-4000-463.62-01).

* * * * *

Item 19, being:

AMENDMENT NO. ONE TO CONTRACT K-1516-139: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS, INC., INCREASING THE CONTRACT AMOUNT BY \$1,204,470 FOR A REVISED CONTRACT AMOUNT OF \$1,432,854 FOR THE GROUNDWATER WELL FIELD DEVELOPMENT PROJECT IN ASSOCIATION WITH THE FYE15 WATER WELLS AND SUPPLY LINES PROJECT.

Acting as the Norman Utilities Authority, Trustee Holman moved that Amendment No. One to Contract K-1516-139 with Carollo Engineers, Inc., increasing the contract amount by \$1,204,470 for a revised contract amount of \$1,432,854 be approved and the execution thereof be authorized; which motion was duly seconded by Trustee Wilson;

Items submitted for the record

1. Text File K-1516-139, Amendment No. One, dated January 17, 2018, by Chris Mattingly, Capital Projects Engineer
2. Amendment No. One to Contract K-1516-139 with Exhibit A, Scope of Work, with Attachment 1, Project Schedule; Exhibit B, Estimated Work Effort with Attachment 1, Fee Schedule through December 31, 2018, Additional Services Fee Schedule
3. Contract K-1516-139 with Task Order No. One with Exhibit 1, Scope of Work, and Exhibit 2, Total Fees
4. Purchase Order 278810 dated June 27, 2015, in the amount of \$228,384 and adding Amendment No. One in the amount of \$1,204,470 for a revised contract amount of \$1,432,854

and the question being upon approving Amendment No. One to Contract K-1516-139 with Carollo Engineers, Inc., increasing the contract amount by \$1,204,470 for a revised contract amount of \$1,432,854 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Allison, Bierman, Hickman,
Holman, Karjala, Wilson, Chairman
Miller

NAYES: None

The Chairman declared the motion carried and Amendment No. One to Contract K-1516-139 with Carollo Engineers, Inc., increasing the contract amount by \$1,204,470 for a revised contract amount of \$1,432,854 approved; and the execution thereof was authorized.

* * * * *

Item 20, being:

CHANGE ORDER NO. TWO TO CONTRACT K-1617-85: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY DECREASING THE CONTRACT AMOUNT BY \$6,074.83 FOR A REVISED CONTRACT AMOUNT OF \$1,804,854.97 FOR THE URBAN CONCRETE PAVEMENT REPAIR 2016 BOND PROGRAM, FYE 2017 LOCATIONS, AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Holman moved that Change Order No. Two to Contract K-1617-85 with Nash Construction Company decreasing the contract amount by \$6,074.83 for a revised contract amount of \$1,804,854.97 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$90,242.75 be directed to Nash Construction Company, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File K-1617-85, Change Order No. Two, dated January 17, 2018, by Rocky Henkel, Street Superintendent
2. Change Order No. Two to Contract K-1617-85
3. Application and Certificate of Payment for the Urban Concrete Pavement Repair 2016 Bond Program dated January 3, 2018, from Nash Construction Company in the amount of \$90,242.75

and the question being upon approving Change Order No. Two to Contract K-1617-85 with Nash Construction Company decreasing the contract amount by \$6,074.83 for a revised contract amount of \$1,804,854.97 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and Change Order No. Two to Contract K-1617-85 with Nash Construction Company decreasing the contract amount by \$6,074.83 for a revised contract amount of \$1,804,854.97 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$90,242.75 was directed to Nash Construction Company.

* * * * *

Item 21, being:

AMENDMENT NO. ONE TO CONTRACT K-1617-94: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GARVER ENGINEERS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$306,790 FOR A REVISED CONTRACT AMOUNT OF \$381,590 FOR THE HORIZONTAL WELL FEASIBILITY FIELD ASSESSMENT IN ASSOCIATION WITH THE FYE15 WATER WELLS AND SUPPLY LINES PROJECT AND BUDGET APPROPRIATION FROM THE WATER FUND BALANCE.

Acting as the Norman Utilities Authority, Trustee Holman moved that Amendment No. One to Contract K-1617-94 with Garver, L.L.C., increasing the contract amount by \$306,890 for a revised contract amount of \$381,590 be approved, the execution thereof be authorized, and \$310,000 be appropriated from the Water Fund Balance (031-0000-253.20-00) to Project WA0212, Water Wells and Supply Lines, Design (031-9345-462.62-01); which motion was duly seconded by Trustee Holman;

Items submitted for the record

1. Text File K-1617-94, Amendment No. One, dated January 31, 2018, by Chris Mattingly, Capital Projects Engineer
2. Amendment No. One to Contract K-1617-94
3. Contract K-1617-94 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation
4. Horizontal Well Water Quality Parameters
5. Purchase Order 0000288095 dated February 15, 2017, to Garver Engineers, L.L.C., in the amount of \$74,800 adding Amendment No. One in the amount of \$306,790 for a revised contract amount of \$381,590

Item 21, continued:

and the question being upon approving Amendment No. One to Contract K-1617-94 with Garver, L.L.C., increasing the contract amount by \$306,890 for a revised contract amount of \$381,590 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Trustees Allison, Bierman, Hickman,
Holman, Karjala, Wilson, Chairman
Miller

NAYES: None

The Chairman declared the motion carried and Amendment No. One to Contract K-1617-94 with Garver, L.L.C., increasing the contract amount by \$306,890 for a revised contract amount of \$381,590 was approved; the execution thereof was authorized, and \$310,000 was appropriated from the Water Fund Balance (031-0000-253.20-00) to Project WA0212, Water Wells and Supply Lines, Design (031-9345-462.62-01).

* * * * *

Item 22, being:

CONTRACT K-1718-104: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HAHN PUBLIC IN THE AMOUNT OF \$89,900 FOR THE DEVELOPMENT OF PUBLIC EDUCATION MATERIALS AND RESEARCH RELATED TO A STORMWATER UTILITY.

Councilmember Holman moved that Contract K-1718-104 with Hahn Public in the amount of \$89,900 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File K-1718-104 dated February 5, 2018, by Claudia Deakins, Chief Communications Officer
2. Contract K-1718-104
3. Purchase Requisition 0000289895 dated February 7, 2018, in the amount \$89,900 to Hahn Public

and the question being upon approving Contract K-1718-104 with Hahn Public in the amount of \$89,900 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES: None

The Mayor declared the motion carried and Contract K-1718-104 with Hahn Public in the amount of \$89,900 approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

RESOLUTION R-1718-82: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE STREET NAME CHANGE PORTION OF THE CITIZENS RECOGNITION POLICY FOR THE CITY OF NORMAN.

Councilmember Holman moved that Resolution R-1718-82 be adopted, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File R-1718-82 dated February 7, 2018, by Rick Knighton, Assistant City Attorney
2. Resolution R-1718-82
3. Citizens Recognition Policy
4. City Council Study Session minutes of December 12, 2017
5. Pertinent excerpts from City Council Oversight Committee minutes of November 8, 2017

Item 23, continued:

and the question being upon adopting Resolution R-1718-82, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Bierman, Hickman, Holman, Karjala, Wilson, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Resolution R-1718-82 was adopted.

* * * * *

Item 24, being:

RESOLUTION R-1718-86: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN TAX INCREMENT FINANCE AUTHORITY APPROPRIATING \$200,000 FROM THE GENERAL FUND BALANCE TO ESTABLISH THE CENTER CITY TAX INCREMENT FINANCE DISTRICT FUND AND TO AUTHORIZE PAYMENT OF OUTSIDE LEGAL FEES AND CLAIMS ASSOCIATED WITH ESTABLISHING AND ADMINISTERING THE CENTER CITY TAX INCREMENT FINANCE DISTRICT.

Acting as the City Council and Norman Tax Increment Finance Authority, Councilmember Holman moved that Resolution R-1718-86 be adopted and payment to the Center for Economic Development Law in the amount of \$87,940.40 be directed, which motion was duly seconded by Councilmember Wilson;

- Items submitted for the record
1. Text File R-1718-86 dated January 16, 2018, by Jeff Bryant, City Attorney
 2. Resolution R-1718-86

and the question being upon adopting Resolution R-1718-86 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Bierman, Hickman, Holman, Karjala, Wilson, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and Resolution R-1718-86 adopted; and payment to the Center for Economic Development Law in the amount of \$87,940.40 was directed.

* * * * *

Item 25, being:

RESOLUTION R-1718-87: A JOINT RESOLUTION OF THE CITY COUNCIL AND TRUSTEES OF THE NORMAN TAX INCREMENT FINANCE AUTHORITY APPROPRIATING \$5,576,750 FROM THE UNIVERSITY TAX INCREMENT TAX INCREMENT FUND BALANCE WITH \$4,275,508 TO BE RECORDED TO THE GENERAL FUND BALANCE AND \$1,301,242 TO THE CAPITAL FUND BALANCE.

Acting as the City Council and Norman Tax Increment Finance Authority, Councilmember Holman moved that Resolution R-1718-87 be adopted, which motion was duly seconded by Councilmember Wilson;

- Items submitted for the record
1. Text File R-1718-87 dated January 16, 2018, by Clint Mercer, Chief Accountant
 2. City of Norman Increment District No. 2 (“University North Park” or “UNP TIF”) Independent Accountant’s Report On Applying Agreed-Upon Procedures dated January 15, 2018
 3. Resolution R-1718-87
- Participants in discussion
1. Mr. Anthony Francisco, Finance Director

Item 25, continued:

and the question being upon adopting Resolution R-1718-87, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Bierman, Hickman, Holman, Karjala, Wilson, Mayor Miller
-------	---

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

The Mayor declared the motion carried and Resolution R-1718-87 was adopted.

* * * * *

Item 26, being:

CONSIDERATION OF ORDINANCE O-1718-21 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A MUNICIPAL USE IN THE A-2, RURAL AGRICULTURAL DISTRICT, FOR PART OF SECTION SEVEN (7), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3428 JENKINS AVENUE)

Ordinance O-1718-21 having been Introduced and adopted upon First Reading by title in City Council's meeting of January 9, 2018 and having been postponed on January 23, 2017, until February 13, 2018, pending approval of Federal Aviation Administration (FAA), Councilmember Holman moved that Ordinance O-1718-21 be postponed until February 27, 2018, pending approved of FAA, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File O-1718-21 dated November 14, 2018, by Janay Greenlee, Planner
2. Ordinance O-1718-21
3. Location map
4. Planning Commission Staff Report of December 14, 2017, recommending approval
5. Overall site plan
6. Detailed site plan
7. Tower elevation
8. Construction details
9. Predevelopment Summary dated November 16, 2017, for the City of Norman for property located at 3428 South Jenkins Avenue
10. Pertinent excerpts from Planning Commission minutes of December 14, 2017
11. Email requesting postponement dated February 7, 2018, from Major David Teuscher, to Brenda Hall, City Clerk

and the question being upon postponing Ordinance O-1718-21 until February 27, 2018, pending approval of FAA, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Bierman, Hickman, Holman, Karjala, Wilson, Mayor Miller
-------	---

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

The Mayor declared the motion carried and Ordinance O-1718-21 was postponed until February 27, 2018, pending approval of FAA.

* * * * *

Item 27, being:

CONSIDERATION OF AWARDING OF BID 1718-39; CONTRACT K-1718-91 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARDEN DEPOT, INC., D/B/A 4-D LAWN AND LANDSCAPE COMPANY IN THE AMOUNT OF \$245,490.17; PERFORMANCE BOND B-1718-55, STATUTORY BOND B-1718-56, AND MAINTENANCE BOND MB-1718-39 FOR THE LINDSEY STREET LANDSCAPING PROJECT; AND ADOPTION OF RESOLUTION R-1718-75 GRANTING TAX EXEMPT STATUS.

Councilmember Holman moved that all bids meeting specifications be accepted; the bid in the amount of \$245,490.17 be awarded to Garden Depot, Inc., d/b/a 4-D Lawn and Landscape Company as the lowest and best bidder meeting specifications; Contract K-1718-91 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution R-1718-75 be adopted, which motion was duly seconded by Councilmember Wilson;

Items submitted for the record

1. Text File K-1718-91 dated January 26, 2018, by Shelly Williams, Capital Projects Engineer
2. Location map
3. Tabulation of bids for Lindsey Landscaping Project
4. Contract K-1718-91
5. Performance Bond B-1718-55
6. Statutory Bond B-1718-56
7. Maintenance Bond MB-1718-39
8. Conceptual Plans for Landscaping with list of trees, shrubs, grasses, ground cover/perennials, and planting plan
9. Resolution R-1718-75
10. Purchase Requisition 0000289532 dated January 31, 2018, in the amount of \$245,490.17 to Garden Depot, Inc.

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, and adoption, a vote was taken with the following result:

YEAS:

Councilmembers Allison, Bierman,
Hickman, Holman, Karjala, Wilson,
Mayor Miller

NAYES:

None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$245,490.17 was awarded to Garden Depot, Inc., d/b/a 4-D Lawn and Landscape Company as the lowest and best bidder meeting specifications; Contract K-1718-91 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed, and Resolution R-1718-75 was adopted.

* * * * *

Item 28, being:

CONSIDERATION OF AWARDING BID 1718-37, APPROVAL OF CONTRACT K-1718-107 WITH PHOENIX CONSTRUCTION SERVICES IN THE AMOUNT OF \$80,086.02; PERFORMANCE BOND B-1718-73, STATUTORY BOND B-1718-74, MAINTENANCE BOND MB-1718-54 FOR THE REPAIRS TO THE PARK MAINTENANCE BUILDING DAMAGED BY FIRE AND BUDGET APPROPRIATION FROM THE GENERAL FUND BALANCE.

Councilmember Holman moved that all bids meeting specifications be accepted, the bid in the amount of \$80,086.02 be awarded to Phoenix Construction Services as the lowest and best bidder meeting specifications; Contract K-1718-107 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed, and \$80,087 be appropriated from the General Fund Balance (010-0000-253.20-00) to Risk Fund/Uninsured Losses (043-3004-415.47-98), which motion was duly seconded by Councilmember Wilson;

Item 28, continued:

Items submitted for the record

- 1. Text File K-1718-107 dated January 25, 2018, by Lisa Krieg, CDBG Grants Manager
- 2. Location map
- 3. Tabulation of bids dated November 30, 2017, for Core Area, Phase 2 Horizontal Saw Cut Project
- 4. Contract K-1718-82
- 5. Performance Bond B-1718-44
- 6. Statutory Bond B-1718-45
- 7. Maintenance Bond MB-1718-28

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Allison, Bierman, Hickman, Holman, Karjala, Wilson, Mayor Miller
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$80,086.02 was awarded to Phoenix Construction Services as the lowest and best bidder meeting specifications; Contract K-1718-107 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and the filing of the bonds was directed; and \$80,087 was appropriated from the General Fund Balance (010-0000-253.20-00) to Risk Fund/Uninsured Losses (043-3004-415.47-98).

* * * * *

Item 29, being:

MISCELLANEOUS DISCUSSION

University Enhancements. Mr. Evan Dunn, 1400 Garfield Avenue, said the University of Oklahoma (OU) Board of Regents had approved a north end zone Jumbo Tron enhancement and he was indignant about it. He said he loves OU football but does not allow himself to be seduced by the spectacle. He said OU has dropped the Physical Education Certification Program but they want to put many dollars in frivolous things. He said the people of our community deserve better.

Councilmember Holman thanked Mr. Dunn for speaking about this.

*

Protect Our Watersheds. Ms. Cindy Rogers, 633 Reed Avenue, prepared a slide presentation to talk about an issue that has to do with going forward with a Stormwater Utility and protecting our floodplains. She said Sherwood Construction asked and received permission in 2013 to build a Borrow Pit with a pond that was supposed to be a 4.9 foot pit left open for extra water storage in a special Flood Hazard zone approximately 100 feet from the river. In the spring of 2014, it was completed and was effectively closed by City staff. On May 18, 2016, there was a report from a citizen that the pit was being filled with construction waste material and City staff quickly responded to the call and asked Sherwood to stop. She said Sherwood was told to remove the materials from the pit or get a proper permit. Sherwood filled the pit and asked for forgiveness and the permit was filed on June 16, 2016. She said the permit went before the Floodplain Permit Committee (FPC) on June 20th and rejected by a vote of 5-2. She said that Mr. Shawn O’Leary, Director of Public Works, said he was concerned that someday the concrete would become exposed. She said Mr. O’Leary also said that if this application had come through as a cut and fill application in 2013, he believed that the committee would have looked at it very differently. She said Sherwood asked the Board of Adjustment for forgiveness and the Board of Adjustment did not make a decision but instead sent it back to the FPC and asked that extra information be provided. She said the FPC postponed their decision until November, 2016. She said test holes were dug and a company was hired to evaluate

Miscellaneous Discussion, continued:

Protect Our Watersheds, continued. the contents. She said one bore had mixtures of asphalt, reinforced concrete, and rebar. She said there were water wells also drilled for water testing and there was asphalt found in them. The Floodplain Permit granted Sherwood permission by a 5-2 vote and the two negative votes were the citizen members of the committee. She said the one question remaining is whether or not the pit is larger than five (5) acres. She said her last slide provides a suggested action plan to make sure that this does not happen again. She said since the permit was issued in November, 2016, the Stormwater Division is doing a very good job of monitoring the activity in the pit.

Mr. Neil Suneson, 1803 Peter Pan Street, said he had been a resident of Norman for 35 years. He said he currently serves on the FPC and before that, he served on the Environmental Control Advisory Board and the Bicycle Committee. He provided a copy of the "*Final Report on Sherwood Construction Company Violations, Canadian River Floodplain, Norman, Oklahoma*", dated February 8, 2018, that he had prepared. He said Sherwood Construction violated the terms of Floodplain Permits #536 and #574. He said the violations deal with the size of the pit and the location of two (2) groundwater monitoring wells installed in the pit. He expressed dismay because he had talked about this issue with a number of City Staff over the past months and has been summarily dismissed. He said his questions have basically been unanswered and the findings that he is presenting to Council have been ignored. He said he has a PhD in Geology and for 40 years, he has been dealing with maps, aerial photographs, and subsurface information. He said he also looks at well logs and when he looks at the logs for this site, there is asphalt in what was supposed to have been two upgradient pits, the wells are in the pit and not upgradient from the pit. He provided a slide showing an outline of the pit which is slightly over five (5) acres. He said an earlier picture that is available at the County Assessor's Office shows the very beginning of a pit extending well towards Interstate 35. He said Sherwood Construction would have had to go to City Council to ask for a pit over five (5) acres. He said he is disappointed in the FPC because money played a role in the decision and it shows in the minutes that money and the cost to Sherwood did affect the decision and it should not have. He said there is nothing in the Floodplain Ordinance that says if you are a poor company, the FPC will not make you pay but if you are a rich company, then you have to do the right thing. He said he has reported Sherwood's violations to the Corps of Engineers because Interstate 35 Bridge is upstream and Sherwood has put in an unmovable barrier into the river. He said when there is a flood, no one knows what effect the barrier will have on the bridge. He said the violations have also been reported to the Oklahoma Department of Environmental Quality and the Oklahoma Water Resource Board because they might be interested in the possible contamination to the aquifer. He said he had reported the violation to Federal Emergency Management Agency (FEMA) because they might be interested in whether Norman's Floodplain Ordinance is toothless and if we are going to allow violators to get away with it. He said he alerted the downstream water users and the municipal water users who rely on the Canadian River for their drinking water including Goldsby, Purcell, Wayne, Calvin, the McClain County Rural Water District, and the Seminole Nation.

Mayor Miller said the City Council is well aware and concerned about this problem. She said staff is continuing to work on it.

Councilmember Wilson said she was at the FPC meeting and appreciates both presenters' dedication to this topic.

Councilmember Holman thanked Ms. Rogers and Mr. Suneson for speaking about this.

Councilmember Hickman said he strongly agrees that financial issues should not be taken into account with regard to the applicants when it comes to a decision.

Councilmember Karjala thanked Dr. Rogers and Dr. Suneson for their continued attention to the issue with Sherwood Construction. She said she had been to the meetings and have had continued concerns with this. She said there are often situations where people are asking for forgiveness instead of permission and finds this increasingly frustrating. She said this should not be allowed and we should say no. She said she appreciates the dedicated attention from some of our citizens to keep this on the agenda.

Councilmember Bierman thanked Dr. Rogers for her diligence on this issue and Dr. Suneson for lending his expertise to this committee and to the issue. She said if it was not for the citizens, Council might not know about these issues and it is critical to take their efforts and work seriously. She does not want this to be the end of the discussion and City Council needs to take a more active role to prevent this from happening again.

Miscellaneous Discussion, continued:

Protect Our Watersheds, continued.

Items submitted for the record

1. PowerPoint Presentation dated February 9, 2018, prepared by Cynthia Rogers for City of Norman City Council entitled "*No More Asking Forgiveness: Protect our Watersheds*"
2. *Final Report on Sherwood Construction Company Violations, Canadian River Floodplain, Norman, Oklahoma*, dated February 8, 2018, by Neil H. Suneson, Ph.D., Citizen Member of the Norman Floodplain Permit Committee
3. Memorandum dated February 13, 2018, from Steve Lewis, City Manager, to Mayor and Councilmembers

*

Vacation. Councilmember Holman said he is going on vacation Wednesday, February 14th, and driving to Los Angeles and he has scheduled a meeting with Kevin James, the Public Works Director for the City of Los Angeles, who is a Norman native.

*

League of Women Voters Hot Topic Luncheon. Councilmembers Hickman announced the League of Women Voters Hot Topic Luncheon would be Wednesday, February 14th to discuss the Ready for 100 Initiative at 11:30 a.m. at Interurban.

*

Community Planning and Transportation Committee Meeting. Councilmembers Hickman announced that Thursday, February 22nd, would be the Community Planning and Transportation Committee meeting at 4:00 p.m. He encourage everyone to come to this public meeting where they would discuss Green Building Codes and changes in the Center City area.

*

Ward Four Election. Councilmember Hickman thanked the voters of Ward Four for re-electing him as Councilmember.

*

Thanks for Attendance. Councilmember Karjala thanked everyone in the audience for their attendance. She said she noticed a lot of students and told them to come back another night to see what kind of business the Council does.

Councilmember Bierman also thanked everyone for coming out tonight.

*

It is Good to Be Back. Councilmember Bierman said it is good to be back and hopes her husband at home is OK taking care of their newborn daughter.

*

Thanks to Claudia Deakins, Chief Communications Officer. Mayor Miller recognized Ms. Claudia Deakins, Chief Communications Officer, for coordinating with the Library Staff the wonderful "Topping Out Ceremony". She said Council got to sign the uppermost beam on the new Central Library and it was a very exciting milestone. She thanked her for her hard work.

*

Miscellaneous Discussion, continued:

CITY MANAGER'S REPORT

Urban Land Institute Impact Award. On Friday, February 9th, the City of Norman's Center City Form Based Code received the Outstanding Public Initiative at the Urban Land Institute Oklahoma's Impact Awards. The Impact Awards recognize local projects that exemplify truly superior development efforts on the local level.

#

February Sales Tax Report. The general purpose sales tax remittance for the month of February which reflects transactions that occurred during December is down 1.27% from last February levels. Fiscal Year 2018-19 sales tax collections are now 1.08% below the prior year. The February Use Tax is up 16.78% and the Use Tax trend over the entire fiscal year, it is up 27%.

#

FYE 19-21 Transportation Improvement Program. The City of Norman submitted 20 applications which is the maximum amount that can be submitted to our Council of Government in Oklahoma City which is the Metropolitan Planning Organization for our region. This group helps distribute federal assistance for road projects. The City of Norman is competing with Oklahoma City, Edmond, Midwest City, all of Logan County, and many agencies within the metropolitan area. Hundreds of hours of work were involved to ensure the City gets all available readiness points. No other City comes close to Norman's success. Norman received \$6,668,735 (55.24%) in FFY 2019, \$9,473,750 (48.26%) in FFY 2020; and \$11,255,214 (56%) in FFY 2021.

#

PlanNorman Comments. A link to the PlanNorman draft document is available on the City's website as well as at PlanNorman.com. Comments can be accepted through March 2nd. Those comments will be compiled and addressed in a future meeting.

#

Wildfire Preparedness Workshop. The second Wildfire Preparedness Workshop is scheduled for Saturday, February 24th at 9:00 a.m. at the Little Axe Community Center. This is being done in partnership with the Oklahoma Forestry Service. The Norman Fire Department and the Oklahoma Forestry Service is planning a controlled burn at the east end of Alameda Drive. The timing of the burn is undetermined at this time but residents will be informed.

* * * * *

Item 30, being:

ADJOURNMENT

The meeting was adjourned at 7:52 p.m.

ATTEST:


City Clerk




Mayor