



CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Tuesday, October 11, 2022 at 6:30 PM

MINUTES

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CALL TO ORDER

Mayor Heikkila Called the Meeting to Order at 6:30 p.m.

ROLL CALL

PRESENT

Mayor Larry Heikkila
Councilmember Ward 1 Brandi Studley
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 3 Kelly Lynn
Councilmember Ward 4 Helen Grant
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 6 Elizabeth Foreman
Councilmember Ward 7 Stephen Holman
Councilmember Ward 8 Matthew Peacock

PLEDGE OF ALLEGIANCE

Mayor Heikkila led the Pledge of Allegiance.

APPROVAL OF MINUTES

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF JUNE 21, 2022
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE
MINUTES OF JUNE 23, 2022

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Item 1, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Brenda Hall, City Clerk
2. City Council Study Session minutes of June 21, 2022
3. City Council Community Planning and Transportation Committee minutes of June 23, 2022

The Minutes were Approved.

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AWARDS AND PRESENTATIONS

2. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-47: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMEMORATING THE INAUGURATION OF THE CITY OF NORMAN INTERNATIONAL FESTIVAL.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Cinthya Allen, Chief Diversity and Equity Officer
2. Resolution R-2223-47

Participants in discussion

1. Ms. Saily Orellano, Human Rights Commission, accepted the resolution and thanked the Council

Resolution R-2223-47 was Adopted.

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3. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-56: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING AND EXTENDING RECOGNITION TO THE STUDENTS AND FACULTY AT NORMAN NORTH HIGH SCHOOL FOR THE 25TH YEAR ANNIVERSARY OF NORMAN NORTH HIGH SCHOOL.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Brenda Hall, City Clerk
2. Resolution R-2223-56

Participants in discussion

1. Ms. Kim Garrett, Principle of Norman North High School, accepted the resolution and thanked the Council

Resolution R-2223-56 was Adopted.

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PROCLAMATIONS

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-5: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2022, AS CODE COMPLIANCE MONTH IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Brenda Hall, City Clerk
2. Proclamation P-2223-5

Participants in discussion

1. Mr. Kelvin Winter, Code Compliance Supervisor, accepted the proclamation and thanked the Council

Receipt of Proclamation P-2223-5 was Acknowledged

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COUNCIL ANNOUNCEMENTS

Indigenous Peoples Day. Councilmember Studley quoted the First Amendment of the Constitution and recognized Indigenous People's Day, which was October 10th, and said the month of October is LGBTQ+ History Month. She read an excerpt from *Latter Gay Stories*. She has received many comments about statements made in multiple private events and she wanted everyone to know she shared their frustration. She said everyone knows she feels strongly about her actions matching her words. She said it is one of the primary responsibilities of City Council to use this special and important platform entrusted to Council by the voters in order to speak for those who do not have a voice.

Councilmember Schueler encouraged everyone to look online where there is a Crowd Source document highlighting all of the indigenous land around the world. She said this resource allows people to see where each indigenous tribe resides.

Councilmember Grant said she is enjoying the freedom to express her dissatisfaction publicly with an increasing abnormal status quo. She said there is a time and place for making others uncomfortable and she knows the time for causing discomfort comes when she, a brown person, with a whole history that will not be whitewashed out of narcissistic displays of nationalism. She said patriotism is an adherence to the ideals of the United States and nationalism is loyalty to the in-group versus acting in the interest of the entire country. She realizes that her time on Council will be met with obstruction and bad faith actors who long for the days of the Sundown Town, which is to say that you can change a street name a lot faster than you can overhaul the culture that created a DeBarr Avenue a/k/a Deans Row in the first place. She said many have given up their first amendment right to serve this country; however, she has chosen to define her career choices in public service with words and action.

Councilmember Holman said Indigenous People's day is a part of Oklahoma and United States history. He said Norman has quite a bit of history with tribes located in the area. He urged people to visit Jacobson House, which is open to the public and houses a lot of Native American history.

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Benefit Nights at the Garage Restaurant. Councilmember Schueler said tonight there is a benefit for Norman Pride from 6-9 p.m. and next Wednesday, October 19th, will be a benefit for Norman CARE-A-VANS from 6-9 p.m.

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Fall Cleanup. Councilmember Schueler said Saturday, October 15th, is Fall Cleanup for most of Ward 2. She reminded residents to put out all of their unwanted large items at the curb.

Councilmember Foreman said most of Ward 6 will have Fall Cleanup on Saturday, October 29th. She thanked the City for providing this service.

Councilmember Holman said most of Ward 7 will have Fall Cleanup on Saturday, October 22.

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Council Announcements, continued:

International Festival. Councilmember Schueler said she is excited about the upcoming International Festival on Sunday, October 23rd at Reaves Park.

Councilmember Holman said the international diversity in Norman is one of the earliest memories of growing up in the public school system full of students with a wide range of diversity.

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Ward Boundary Changes. Councilmember Schueler said on September 13th, Council adopted the Ordinance changing the ward boundaries and that Ordinance goes into effect on October 13th. She urged residents to check the new boundaries to see if their ward is different.

Councilmember Foreman said she posted the new ward boundaries on her Facebook Page. She asked Council to share their new ward boundaries with their constituents.

Councilmember Holman said Ward 7 will lose several residents to Ward 4 and Ward 1. He said he plans to post the map to his Facebook Page.

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Code Compliance Month/Action Center. Councilmember Schueler said 10,000 code cases annually is a lot and felt the Code Compliance Officers should be recognized for all the things they do to address these cases. She reminded everyone to contact the Action Center when there is a problem and they are unsure of who to contact. She said the Action Center phone number is 405-366-5396 and the email address is action.center@normanok.gov.

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Voter Registration. Councilmember Schueler said the voter registration deadline for the upcoming mid-term election in November is Friday, October 14.

Councilmembers Lynn and Holman encouraged people to register to vote or update their registration.

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Red Dirt Collective. Councilmember Schueler said Red Dirt Collective is sponsoring a Mutual Aid Fair in November, requesting donations, and asking for those who are interested to reach out to them on Facebook.

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Columbus Day. Councilmember Lynn said he had a great Columbus Day and hoped everyone had a good one also.

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Council Announcements, continued:

Affordable Housing Town Hall. Councilmember Grant said there is an Affordable Housing Town Hall Meeting at City Hall on Tuesday, October 19th, from 6:30-9:30 p.m. She said questions can be submitted in advance to publicaffairs@normanok.gov. Questions may be submitted until 4:00 p.m. on October 18th. If the deadline is missed, the question can be asked in person at the meeting. She said the goal is to connect with seasoned professionals working in Norman while critically thinking about affordable housing challenges and how to address those challenges.

Councilmember Holman said affordable housing is becoming one of the most serious issues facing the City of Norman as well as the State of Oklahoma.

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Second Friday Art Walk. Councilmember Grant said the Second Friday Art Walk is on Friday, October 14. She said there will be a booth where people can register to vote and a Downtown Pantry Painting Party from 6:30-7:30 p.m. on the west facing side of 222 South Porter Avenue.

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Downtown Bid District Item was Withdrawn. Councilmember Foreman said for those who might have missed the Mayor's announcement, the Downtown Bid District Items were withdrawn from the agenda at the request of the applicant. She said this is unfortunate and is very disappointed. She hopes Mr. Brewer comes back again and the Downtowners all come together on this.

Councilmember Peacock said he is disappointed about the withdrawal of the Downtown Bid District. He said he has strong opinions about this item and if the City wants to be an attractive destination for talent, business, quality of life initiatives, these types of initiatives need approval and support. He said it is a shame and a missed opportunity. He hopes to be able to revisit this issue in the future.

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Community Planning and Transportation (CPT) Committee. Councilmember Holman asked everyone to put the CPT meeting on October 27th at 4:00 p.m. on their calendar. He said it could also be watched on YouTube.

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Norman North High School Information. Councilmember Holman said he was in the sixth grade when the announcement was made to build Norman North High School. He said there was a City Wide survey of what the school colors and mascot should be. He said Norman North High School's original name was Norman High School North and in 2000, the name was changed to Norman North High School. He noted that he had the honor of serving on City Council with former Ward 8 Councilmember Dan Quinn. He said Dan was the very first principal of Norman North.

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Shop Norman. Councilmember Peacock said "Shop Norman."

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POINT OF ORDER

Councilmember Schueler called "a Point of Order" and asked for a clarification about the consent docket not being read and quoted Section 1, Article XI, of the City Charter, which states:

"Five (5) members of the Council shall constitute a quorum, and the affirmative vote of five (5) members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure. Upon every vote the ayes and nays shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon. The Mayor shall have no power to veto any measure, and he shall have a vote on all questions. Every resolution or ordinance passed by the Council must be signed by the Mayor or by the Mayor Pro Tem, acting in that capacity, and be recorded and published before the same shall be in force, except as otherwise hereinafter provided."

She said she is worried about "Upon every vote the ayes and nays shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon."

Ms. Beth Muckala, Assistant City Attorney, said she agreed and the legal department will look further into the language that has been read regarding exactly what that means in the context of all of it.

Councilmember Schueler asked what happens if the Council finds out that this is in violation by not reading ordinances by title specifically about zoning applications, which a first reading is required.

Ms. Muckala said she would not come to that type of conclusion, ordinances are read into the record before a final vote. She said Ordinances on Second Reading are read by title. She said staff can look at the meaning of the word "read" and the scope of this as it is intended.

Councilmember Schueler expressed concerns about not reading the items and violating our Charter.

Ms. Muckala said she would not be prepared to give an opinion that the City is in violation of any Charter provision to the extent that anything needs to be ratified.

Mr. Pyle said Councilmember Schueler would have an answer first thing Wednesday morning.

Councilmember Schueler said it is plain to her that the items need to be read into the record.

Mayor Heikkila asked how he was supposed to proceed.

Ms. Muckala said there has been no determination that there is an issue. She said the Mayor was free to read the items into the record if that is what he prefers and what Mayors have done in the past, but there is a basis for how he is presently doing the consent docket.

Mayor Heikkila said he believes the Consent Docket can just be approved by voting on the Consent Docket and moved forward.

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CONSENT DOCKET

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 5 through Item 22 excluding Item 14 and Item 21 which was withdrawn by Staff, be placed on the consent docket.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 5 through 22 excluding Item 14 and Item 21 were Placed on the Consent Docket.

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First Reading Ordinance

5. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-9 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 PART OF THE NORTH HALF (N/2) OF SECTION TWENTY-SIX (26), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND PLACE THE SAME IN THE A-1, GENERAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4000 EAST ROBINSON STREET)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Jane Hudson, Director of Planning and Community Development
2. Ordinance O-2223-9
3. Location map
4. Site Plan

Item 5, continued:

Items submitted for the record, continued

5. City of Norman Predevelopment Summary PD22-17 dated August 25, 2022, for Zafar Baig for property located at 400 East Robinson Street
6. Pertinent excerpts from Planning Commission minutes of September 8, 2022
7. Planning Commission Staff Report dated September 8, 2022

Ordinance O-2223-9 was Adopted Upon First Reading by Title.

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6. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-11 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 GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT ONE (1), BLOCK ONE (1), NORTHHAVEN CHURCH ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4600 36TH AVENUE N.W.)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Jane Hudson, Director of Planning and Community Development
2. Ordinance O-2223-11
3. Location map
4. Site Plan Concept
5. Planning Commission Staff Report dated September 8, 2022
6. Conceptual drawing
7. City of Norman Predevelopment Summary PD22-21 dated August 25, 2022, for Timber Creek Fellowship Church for property located at 4800 36th Avenue N.W.
8. Pertinent excerpts from Planning Commission minutes of September 8, 2022
9. Protest Map containing 0.9% Protest Within Notification Area
10. Letter of protest received August 22, 2022, from James C. and Judy M. Chapman, Co-Trustees, Terrace Trust dated November 20, 1995

Ordinance O-2223-11 was Adopted Upon First Reading by Title.

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Reports/Communications

7. CONSIDERATION OF ACKNOWLEDGEMENT, SUBMISSION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Brenda Hall, City Clerk
2. Memorandum dated September 29, 2022, from Rachel Croft, Staff Engineer, through Chris Mattingly, P.E., Director of Utilities, to Darrel Pyle, City Manager
3. Location map
4. Change Order No. Two to Contract K-2122-48
5. Memorandum dated August 15, 2022, from Chris Mattingly, P.E., Director of Utilities, to Darrel Pyle, City Manager
6. Change Order No. One to Contract K-2122-92

Receipt of the City Manager's Contract and Change Order Report was Acknowledged.

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Contracts

8. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO ONE TO CONTRACT K-2122-89: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARATHON CONSTRUCTION, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$16,227 FOR A REVISED CONTRACT AMOUNT OF \$332,090.50 FOR THE MCCULLOUGH STREET AND ALLEY RECONSTRUCTION PROJECT, AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 8, continued:

Items submitted for the record

1. Staff Report dated October 11, 2022, from Joseph Hill, Streets Program Manager
2. Change Order No. One to Contract K-2122-89
3. Location map

Change Order No. One to Contract K-2122-89 and the Budget Transfer were Approved.

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9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2122-95: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EMC SERVICES, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$38,370.21 FOR A REVISED CONTRACT AMOUNT OF \$207,989.21 FOR THE FLOOD AVENUE SIDEWALKS PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$80,274.32.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Jami Short, Traffic Engineer
2. Change Order No. One to Contract K-2122-95
3. Location map

Change Order No. One to Contract K-2122-95 was Approved, the Project was Accepted, and Final Payment in the amount of \$80,274.32 was Approved.

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10. CONSIDERATION OF AUTHORIZATION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. ONE TO CONTRACT K-2122-115: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CROSSLAND CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$8,492,657.32 FOR A REVISED CONTRACT AMOUNT OF \$8,507,307.32 FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE NEW LINE MAINTENANCE FACILITY, MATERIALS TO BE PURCHASED ON BEHALF OF THE CONTRACTOR, AND BUDGET TRANSFERS AND APPROPRIATIONS AS OUTLINED IN THE STAFF REPORT.

Acting as the Norman Utilities Authority

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 5 Tortorello.

Item 10, continued:

Voting Yea: Chairman Heikkila, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Grant, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Rachel Croft, Staff Engineer
2. Amendment No. One to Contract K-2122-115 with Exhibit A, Recommendation Award Letter Bid Package #01, Letter #1 from Justin Lockwood, Director of Preconstruction, Crossland Construction Company, to Nathan Madenwald, Utilities Engineer; Exhibit B, Plans, Specifications, and Contract Documents; Exhibit C, List of Allowances; Exhibit D, Assumptions; Exhibit E, GMP Summary, Bid Tab, Project Requirements, and General Conditions; Exhibit F, Substantial Completion; and Exhibit G, Acceptance Period

Amendment No. One to Contract K-2122-115 and Budget Transfers and Appropriations were Approved.

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11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-16: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND PLUMMER ASSOCIATES, INC., IN THE AMOUNT OF \$528,900 TO PROVIDE ENGINEERING SERVICES FOR THE GROUNDWATER BLENDING AND DISINFECTION SYSTEM.

Acting as the Norman Utilities Authority

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 5 Tortorello.

Voting Yea: Chairman Heikkila, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Grant, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Rachel Croft, Staff Engineer
2. Contract K-2223-16 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation

Contract K-2223-16 was Approved.

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12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-49: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER, L.L.C., IN THE AMOUNT OF \$471,309 FOR THE DESIGN OF THE 60TH AVENUE N.E. BRIDGE OVER ROCK CREEK AND PHASE 1 ENGINEERING STUDY OF THE NORTH PORTER AVENUE BRIDGE OVER LITTLE RIVER.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Joseph Hill, Streets Program Manager
2. Contract K-2223-49
3. Project location map

Contract K-2223-49 was Approved.

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13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-55: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND GARVER, L.L.C., IN THE AMOUNT OF \$699,950 FOR THE DESIGN ENGINEERING OF THE 24TH AVENUE N.E. WIDENING PROJECT FROM ROCK CREEK ROAD TO TECUMSEH ROAD.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Jeff Fordice, Capital Projects Engineer
2. Contract K-2223-55 with Attachment A, Scope of Services; Attachment B, Project Schedule; and Attachment C, Compensation; Attachment D, Owner's Responsibilities
3. 2019 Bond Projects List and Location Map
4. Project location map

Contract K-2223-55 was Approved.

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Item 14 was moved to OFF CONSENT

15. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$71,489 FROM THE UNITED STATES DEPARTMENT OF JUSTICE/OFFICE OF JUSTICE PROGRAMS (DOJ/OJP) THROUGH THE OFFICE FOR VICTIMS OF CRIME (OVC) AND AUTHORIZED THROUGH THE VICTIMS OF CRIME ACT (VOCA) TO BE USED BY THE POLICE DEPARTMENT TO EMPLOY AND PROVIDE TRAINING FOR A VICTIM ADVOCATE, CONTRACT K-2223-59, AND BUDGET APPROPRIATIONS AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from John Stege, Police Standards Administrator
2. Contract K-2223-59 with Attachment 1, Job Description; Attachment 2, Board of Directors; Attachment 3, Current Organization Chart; Attachment 4, Letter of Support dated March 3, 2022, from Christina R. Miller, PhD, Associate Director/Associate Professor of Anne and Henry Zarrow School of Social Work, the University of Oklahoma, to Grant Chairperson; Attachment 5, Equal Employment Opportunity Plan Certification; Attachment 6, Assurances; and Attachment 7, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Participants in discussion

1. Mr. Rick Knighton, Assistant City Attorney

The Grant, Contract K-2223-59, and the Budget Appropriations were Approved.

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16. CONSIDERATION OF ACCEPTANCE, APPROVAL, AUTHORIZATION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$40,170.54 TO BE USED BY THE OKLAHOMA OFFICE OF HOMELAND SECURITY TO PURCHASE SELF-CONTAINED BREATHING APPARATUS FOR THE NORMAN POLICE DEPARTMENT FOR CONTINUED SUPPORT OF STATEWIDE HOMELAND SECURITY EFFORTS, AND CONTRACT K-2223-60.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 16, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from John Stege, Police Standards Administrator
2. Contract K-2223-60

The Grant and Contract K-2223-60 were Approved.

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17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-61: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CLUB PROPHET SYSTEMS IN THE AMOUNT OF \$72,755 TO PROVIDE SOFTWARE REPLACEMENT FOR THE PARKS AND RECREATION DEPARTMENT FOR CONCESSION, GOLF COURSE, AND TENNIS FACILITY.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Kari Madden, IT Manager Business Systems and Development
2. Contract K-2223-61 with Exhibit A, Pass Through Expenses, and Exhibit B, Hardware Requirements

The Grant and Contract K-2223-61 were Approved.

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Resolutions

18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-36: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING UPDATES TO THE CITY OF NORMAN DISASTER DEBRIS MANAGEMENT PLAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 18, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Joseph Hill, Streets Program Manager
2. Resolution R-2223-36
3. City of Norman, Oklahoma, Disaster Debris Management Plan with Appendix A, Job Aid Checklists for Key Positions; Appendix B, Debris Management Checklists; Appendix C, Contracting Checklist and Guidance; Appendix D, Contracts; Appendix E, Contractors, Disposal, and Recycling Resources; Appendix F, Debris Management Site Analysis Report; Appendix G, Debris Management Site Memorandum of Understanding; Appendix, H, Health and Safety Strategy; Appendix I, Sample Public Information Messages; Appendix J, Priority Roads List; Appendix K, Debris Zone Map; Appendix L, Equipment List; Appendix M. Field Documents; Appendix N, Right-of-Entry; Appendix O, Hazardous Stump Extraction and Removal Eligibility; and Appendix P, Oklahoma Department of Environmental Quality Guidance.

The Resolution R-2223-36 was Adopted.

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19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-41: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) FUNDING FOR A MINOR ASPHALT RESURFACING PROJECT ON ROBINSON STREET BETWEEN 24TH AVENUE N.W. AND BERRY ROAD.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Joseph Hill, Streets Program Manager
2. Resolution R-2223-41
3. Preliminary Engineer's Estimate dated September 15, 2022, in the amount of \$1,125,913.09 prepared by J. Jeffery Fordice
4. Project location map

The Resolution R-2223-41 was Adopted.

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20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-42: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TRANSPORTATION ALTERNATIVE PROGRAM (TAP) FUNDING FOR THE ALAMEDA ROAD DIET AND BICYCLE LANES PROJECT BETWEEN CLASSEN BOULEVARD AND RIDGE LAKE BOULEVARD.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Tim Miles, Capital Projects Engineer
2. Resolution R-2223-42
3. Project location map
4. Excerpt from 2014 Comprehensive Transportation Plan regarding Alameda Street recommended as a Road Diet candidate

The Resolution R-2223-42 was Adopted.

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21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-46: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS TRANSPORTATION ALTERNATIVE (ACOG TAP) TRANSPORTATION ALTERNATIVE PROGRAM FUNDING FOR THE LINDSEY STREET FROM 12TH AVENUE S.E. TO 24TH AVENUE S.E. SIDEWALK PROJECT.

Item 21 was Withdrawn at the Request of Staff.

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22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-48: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM – URBANIZED AREA (STBG-UZA) FUNDING FOR ENHANCEMENTS TO THE CITY'S PUBLIC TRANSIT FLEET

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello.

Item 22, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Taylor Johnson, Transit and Parking Program Manager
2. Resolution R-2223-48
3. Quote Letter dated September 29, 2022, for two (2) 35 ft. Low Floor Compressed Natural Gas Buses for a cost of \$706,526 each from Joe Saldana, Regional Sales Manager, Gillig, L.L.C., to Taylor Johnson, Public Transit Coordinator

The Resolution R-2223-48 was Adopted.

* * * * *

Approval of the Consent Docket

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 5 Tortorello

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

This is the end of the Consent Docket. Item 5 through Item 22, excluding Item 14 and Item 21, were Approved on the Consent Docket.

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NON-CONSENT ITEMS

14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-56: A SERVICE AND LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER, INC., IN AN AMOUNT NOT-TO-EXCEED \$305,298 FOR THE 2022-2023 EMERGENCY WINTER SHELTER LOCATED AT 109 WEST GRAY STREET AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 4 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 3 Lynn

Item 14, continued:

Items submitted for the record

1. Staff Report dated October 11, 2022, from Anthony Purinton, Assistant City Attorney
2. Contract K-2223-56 with Exhibit A, Program and Service Requirements; Exhibit B1, Aerial location map; and Exhibit B2, Remodel Plan
3. 2019 Bond Projects List and Location Map
4. Project location map

Participants in discussion

1. Mr. Darrel Pyle, City Manager
2. Mr. Kevin Foster, Police Chief
3. Ms. April Dozier, Operator, Food and Shelter, Inc.
4. Ms. Mary Francis, Ward 7, proponent
5. Ms. Jade Cheshier, Ward 1, proponent
6. Ms. Melissa Gill representing Women in Action, proponent
7. Ms. Dana Miller, Ward 3, made comments
8. Ms. Rachel Wyatt-Swanson, Ward 8, proponent
9. Ms. Hannah Smith, Ward 1, proponent
10. Mr. Mark Pipkin, Homeless Veteran
11. Mr. Russell Rice, Ward 2, proponent
12. Mr. Evan Dunn, Ward 7, made comments
13. Mr. Jacob Greer, Ward 1, proponent
14. Ms. Marguerite Larson, Ward 6, proponent
15. Mr. Alex Lamphere, Ward 2, proponent
16. Ms. Lauren Vanderburg, Ward 4, proponent
17. Dr. John Scamehorn, Ward 1, protestant
18. Mr. Steve Lett, Ward 4, proponent
19. Mr. Alan Hatcher, Ward 8, proponent
20. Mr. Steve Ellis, Ward 4, proponent
21. Mr. Mike Davidson, Ward 1, proponent
22. Luigi, Ward 4, proponent
23. Ms. Cindy Rogers, Ward 4, proponent
24. Ms. Karen Shambaugh, Ward 2, protestant

Contract K-2223-56 was Approved.

* * * * *

23. PUBLIC HEARING REGARDING ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$42,341 TO THE CITY OF NORMAN, THE MOORE POLICE DEPARTMENT, AND THE CLEVELAND COUNTY SHERIFF'S OFFICE FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF \$27,022 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR PURCHASING A POLICE STAFFING ANALYTICAL SERVICE, FORENSIC EQUIPMENT, ADVANCED TRAINING (AND ASSOCIATED TRAVEL); CONTRACT K-2223-62; AND BUDGET APPROPRIATION FROM THE SPECIAL GRANT FUND BALANCE AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman.

Item 23, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Councilmember Grant was not in Council Chambers during the vote.

Items submitted for the record

1. Staff Report dated October 11, 2022, from John Stege, Police Standards Administrator
2. Contract K-2223-62

Participants in discussion

1. Mr. John Stege, Police Standards Administrator
2. Mr. Evan Dunn, Ward 7, made comments
3. Ms. Mary Francis, Ward 7, proponent
4. Mr. Steve Ellis, Ward 4, made comments

The Public Hearing was Conducted.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Public Hearing was Closed.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman to accept the grant and approve the contract and budget appropriation.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Grant was Accepted and Contract K-2223-62 and the Budget Appropriation were Approved.

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24. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PRELIMINARY PLAT P-2223-2 FOR LOTS 2, 3, AND 6, BLOCK 1, A REPLAT OF LOTS 2 AND 3, BLOCK 1 FOR JENNINGS ESTATES NO. 1 ADDITION, (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND 24TH AVENUE WEST).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Ken Danner, Subdivision Development Manager
2. Location map
3. Preliminary Subdivision Plat
4. Preliminary Site Plan
5. City of Norman Predevelopment Summary PD22-19 dated August 25, 2022, from WH Normandy Creek LP for property located near the southeast corner of 24th S.W. and Main Street
6. Planning Commission Staff Report dated September 8, 2022
7. Pertinent excerpts from Planning Commission minutes of September 8, 2022

Participants in discussion

1. Mr. Alec Bass, Wallace Design Collective, 410 North Walnut Avenue, Suite 200, Oklahoma City, engineer representing the owner
2. Mr. Shawn O'Leary, Director of Public Works
3. Mr. Evan Dunn, Ward 7, made comments
4. Mr. Steve Ellis, Ward 4, made comments
5. Ms. Mary Francis, Ward 7, made comments

The Preliminary Plat for Lots 2, 3, and 6, Block 1, a Replat of Lots 2 and 3, Block 1, Jennings Estates No. 1 Addition was Approved.

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25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-7 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 SCHOOL IN THE R-1, SINGLE FAMILY DWELLING DISTRICT FOR LOT ONE (1), BLOCK ONE (1), BOYD VIEW II ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2323 CLASSEN BOULEVARD)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Item 25, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock*

* Councilmember Studley was not in Council Chambers during the vote.

Items submitted for the record

1. Staff Report dated October 11, 2022, from Jane Hudson, Director of Planning and Community Development
2. Ordinance O-2223-7 with Exhibit A, Special Use Site Plan
3. Location map
4. Support Map containing 1.64% Support Within Notification Area
5. Letter of support from Roberta Pailes to Department of Planning
6. Planning Commission Staff Report dated September 8, 2022
7. Letter of Support dated September 8, 2022, from Claire Curry to Rone Tromble, Current Planning
8. City of Norman Predevelopment Summary PD22-20 from Classen Montessori School for property located at 2323 South Classen Boulevard
9. Pertinent excerpts from Planning Commission minutes of September 8, 2022

Participants in disc discussion

1. Mr. Jason Andes, Ward 2, representing Classen Montessori School
2. Ms. Kailee James, teacher at Classen Montessori School
3. Mr. Evan Dunn, Ward 7, proponent
4. Mr. Steve Ellis, Ward 4, proponent
5. Ms. Mary Francis, Ward 7, proponent

Ordinance O-2223-7 was Adopted Upon Second Reading Section by Section.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock *

* Councilmember Studley was not in Council Chambers during the vote.

Ordinance O-2223-7 was Adopted Upon Final Reading as a Whole.

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26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND RATIFYING THE ASSESSMENT ROLL FOR THE UNIVERSITY NORTH PARK BUSINESS IMPROVEMENT DISTRICT; ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT OR AN INSTALLMENT THEREOF; SETTING FORTH THE TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST AND RECORD WITH THE COUNTY CLERK OF CLEVELAND COUNTY, FOLLOWING PASSAGE OF THE PAYMENT DEADLINE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated September 13, 2022, from Kathryn L. Walker, City Attorney
2. Ordinance O-2223-12 with Exhibit A, Assessment Roll and Assessment Plat

Participants in disc discussion

1. Ms. Beth Muckala, Assistant City Attorney
2. Mr. Evan Dunn, Ward 7, made comments
3. Mr. Steve Ellis, Ward 4, proponent

Ordinance O-2223-12 was Adopted Upon Second Reading Section by Section.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 7 Holman

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2223-12 was Adopted Upon Final Reading as a Whole.

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27. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-57: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CREATING A DISTRICT ENTITLED "DOWNTOWN NORMAN BUSINESS IMPROVEMENT DISTRICT" AND ADOPTING THE ASSESSMENT ROLL FOR SAID DISTRICT.

This Item was Withdrawn at the Request of the Applicant.

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28. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA: ADOPTING AND RATIFYING THE ASSESSMENT ROLL FOR THE DOWNTOWN NORMAN BUSINESS IMPROVEMENT DISTRICT; ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT OR AN INSTALLMENT THEREOF; SETTING FORTH THE TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST AND RECORD WITH THE COUNTY CLERK OF CLEVELAND COUNTY, FOLLOWING PASSAGE OF THE PAYMENT DEADLINE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; PROVIDING FOR THE SEVERABILITY THEREOF.

The Item was Withdrawn at the Request of the Applicant.

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29. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2223-57: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE DOWNTOWN NORMAN BID ASSOCIATION IN THE AMOUNT OF \$57,000 FOR SPECIFIED BASE-LEVEL SERVICES WITHIN THE BOUNDARIES OF THE DOWNTOWN NORMAN BUSINESS IMPROVEMENT DISTRICT.

This Item was Moot because Items 27 and 28 were Withdrawn at the Request of the Applicant.

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30. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2223-55: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DIRECTING STAFF TO TERMINATE CONTRACT K-2223-34, A PURCHASE AND SALE AGREEMENT FOR \$2,450,000 RELATING TO REAL PROPERTY LOCATED AT 1210 WEST ROBINSON STREET PURSUANT TO ITS TERMS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Foreman.

Item 30, continued:

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Grant, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated October 11, 2022, from Darrel Pyle, City Manager
2. Resolution R-2223-55

Participants in disc discussion

1. Ms. Beth Muckala, Assistant City Attorney
2. Ms. Steve Ellis, Ward 4, asked questions
3. Ms. Cindy Rogers, Ward 4, made comments
4. Ms. Mary Francis, Ward 7, made comments

Resolution R-2223-55 was Adopted.

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MISCELLANEOUS COMMENTS

Problems with Agenda. Mr. Steve Ellis, Ward 4, said those who set the agenda seem to give the illusion of openness rather than the reality of openness. He said the agenda information needs to be made available to Councilmembers before the weekend. He said it should also be available to citizens as well. He said it is difficult to receive 900+ pages on Monday before the Council Meeting on Tuesday. He said this also includes reading the consent docket. He is surprised that Council is so eager to take control of comments on items. He said on the public hearing item, each person in attendance receives a copy of the agenda and attachments and is eligible to speak. He feels that requirement was not met tonight and he hopes that the grant will not have to be considered again because of that. He said if there is no supporting documentation, people become suspicious.

Ms. Cindy Rogers, Ward 4, said she spends a lot of time complaining and pushing to get more information from the City of Norman, she wishes Cleveland County would step up to the plate with agenda posting and providing information to people. She compliments the City but feels the City could do better. She said having a State of the City address that is not in a public forum is bad form and not how a City engages their citizens. She hopes that the Mayor gives a State of the City that has open access and the public is invited.

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Turnpike. Ms. Darla LeBlanc, Ward 5, said her roots in this town are very deep. She said a state entity is trying to sever those roots; the southeast extension turnpike is going straight through her living room. She said she had not gotten a good night sleep since she found out but after attending the Town Hall Meeting at CrossPointe Church where thousands of people were in attendance, she learned she was not alone. She said she has been to several City meetings and it gives her peace to know that her City stands behind her and fighting for her family. She thanked the Mayor for signing the "No More Turnpikes Pledge"; however, since then she has mixed signals about where he stands.

Miscellaneous Comments, continued:

Turnpike, continued. Ms. Linda Evans, Ward 4, said the Oklahoma Turnpike Authority (OTA) is trying to build turnpikes that will go through all of her and her neighbors' homes and all of the places of nature and peace. She said they are threatening our water supply from the aquifer and Lake Thunderbird. She said the turnpike threatens the flood plain in the 10 Mile Flat area with additional flooding. She said the people fighting this; "Pike Off OTA" is a wonderful group to be a part of as well as the legal group who have made some great progress. She said the group has been assured that City Council will fight with them. She said she hopes it is not true that some of Council has changed their minds. She said this turnpike will completely change the character of the bucolic rural area, access to the lake, and the character of Norman.

Ms. Cindy Rogers, Ward 4, said the turnpike will change Norman forever and there will be no going back. She said Ruby Grant Park also is close to the Interstate 35 and it is hard to enjoy the park because of the noise pollution.

Mr. Mark Wagner, Ward 5, said the OTA will take a lot of acreage, which will not be usable for housing, and 441 more families will be displaced. He encouraged everyone to stand together to do whatever they can to avert the turnpike.

Ms. Mary Francis, Ward 7, said sometimes change is good, but it will not be changing for the better if the turnpike is approved. She said she hopes City Council will get together a proposal and are more involved.

Ms. Debbie Saltzman, Ward 5, said the City's website says, "Building an Inclusive Community." She said calling out councilmembers during a State of the City announcement is not the path to building an inclusive community. She said a large part of Norman is not conservative and it is quite likely that Councilmember that are not conservative are representing their wards, as is their task. She asked that Council represent all of Norman. She said the largest ward in Norman is Ward 5 and Ward 5 is under attack by the OTA and in favor of development.

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Land Application of Bio-Solids. Ms. Sonia Potts, Ward 3, read an email dated April 26, 2022, which was sent to four members of the City of Norman/Norman Utilities Authority (CON/NUA) Leadership Team from her husband, Kevin Potts. She said packets were given to the Deputy City Clerk to provide to City Councilmembers. She said the Potts' property, which is close to the Water Reclamation Facility has previously had a contract with the CON/NUA for application of biosolids and the contract has not been renewed since 2018. The lease is with Andrew Potts. She said attached to the email is an interoffice memorandum dated June 6, 2018, from the City Attorney's Office that concluded that since Kevin Potts, who is a City employee and not a City Councilmember or Trustee of the NUA, there is no conflict of interest. The memo stated that continuing the contract would be beneficial to NUA. She said the email says the family hired an attorney regarding the possible conflict of interest and have not heard back from the City Attorney's Office. She said she also has an email from Kevin Potts to the City Attorney's Office on August 21, 2018, concluding that this issue is not in violation of the City Charter. She said the correspondence expresses their desire to get the contract updated since John Potts died in October, 2016, and the ownership of the land has changed. The use of Potts' land for application of sewage sludge is considered a beneficial reuse of wastewater and it is the most cost effective means to dispose of the sludge on the land.

Miscellaneous Comments, continued:

Land Application of Bio-Solids, continued: Mr. Kevin Potts, Ward 3, said the benefit for their family is that the bio-solids are a source of fertilizer for their hayfields. He said it is not their desire to have to terminate the contract and they have tried to work with the City Attorney's office to update the contract to no avail. He said there does not appear to be a conflict because he is a City Employee. He said this contract has been in effect for decades and he brought this to City Council as the overseers of the CON/NUA to make them aware. He said the savings to the City for land application on their property, which was noted in the City Attorney's memorandum, was somewhere between \$300,000 and \$750,000 a year. He said the average savings for a five-year period is \$2,650,000.

Ms. Mary Francis, Ward 7, said back in the 1960s, which she was in college, she used to go to Potts Dairy Farm to get milk and if there was no one there to sell her milk, she took the bottle of milk and put her money in the can. She said she loves that about Norman.

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Air Quality During West Side Hospital Construction. Mr. Andrew Vondall, Ward 4, said Primrose of Norman is a childcare facility where his children attend and it is located next to the construction site at the Norman Regional Hospital West Side. He said there have been a number of studies about site pollution that happens, one from the Environmental Protection Agency (EPA) that was published on December 6, 2021, that outlines the air quality outside of construction sites can be worse than inside for childcare facilities and schools. He said the pollution is not monitored inside or outside. Another study done at Portland State University in December, 2020, "The Neighborhood Quality Impact for Construction Site Emissions in Portland". This study found that the most common problem was site cleanup, which is not always done correctly can go into groundwater. He said when it comes to pollutants, Safety meetings are not held as much as needed. Construction dust and pollutants are blowing right to the school location.

Ms. Tana Fitzgerald, Ward 4, asked Council to consider regulating construction sites on properties that abut day care centers or schools for the purpose of reducing or eliminating air pollutants that are a health risk to vulnerable populations. She said she presently has a child attending Primrose of Norman, which serves infants to kindergarteners and the school abuts the construction at the Norman Regional Healthplex. She said her youngest child has attended the school since March and their oldest child attended but now is in Norman Public Schools. She said they did not know about the construction when they enrolled their children but shortly after they started attending, the construction began. She said there was lots of dust dispensing into the air but once the project broke ground, then the dust reduced significantly. She recently learned these projects can still emit a lot of particular matter throughout the life of the project. She became concerned about all of the children who go outside and play on the onsite playground. She said the director brought the kids indoors after the dust was noticeable. She said she is also concerned about some of the nearby facilities such as a skilled nursing facility. She emphasizes that she is glad the Healthplex is being expanded because it is needed. She said many of the children have parents that work at the Healthplex. She asked Council to consider amending the code to require air quality monitoring of the construction sites that are within a certain range of a day care facility, to require construction companies to give notice to day care facilities when air quality might be poor. She personally thinks that the cost of the construction job should include paying for the temporary move of the children and staff at day care facilities for the duration of the project.

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Miscellaneous Comments, continued:

Talk into the Microphone. Ms. Mary Francis, Ward 7, said she really appreciates those people who speak up so it will be easier for some of the elderly people in the audience to hear.

ADJOURNMENT

The Meeting Adjourned at 10:35 p.m.

ATTEST:



City Clerk



Mayor

