

City of Norman, OK

*Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069*



Meeting Agenda

Tuesday, July 23, 2019

6:30 PM

AMENDED

**City Council, Norman Utilities Authority, Norman Municipal
Authority, and Norman Tax Increment Finance Authority**

City Council

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, sex, religion, national origin, place of birth, age, familial status, 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' notice is preferred.

1 Roll Call

2 Pledge of Allegiance

Minutes

3 [GID-1920-7](#) APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF MAY 7, 2019
CITY COUNCIL STUDY SESSION MINUTES OF MAY 14, 2019
CITY COUNCIL STUDY SESSION MINUTES OF MAY 21, 2019
CITY COUNCIL CONFERENCE MINUTES OF MAY 27, 2019
CITY COUNCIL MINUTES OF JULY 2, 2019
CITY COUNCIL MINUTES OF JULY 9, 2019
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 9, 2019
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 9, 2019
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 9, 2019

Attachments: [Text File](#)

[May 7 Study Session Minutes](#)

[May 14 Study Session Minutes](#)

[May 21 Study Session Minutes](#)

[May 28 Conference Minutes](#)

[July 2 CC Minutes](#)

[July 9 CC Minutes](#)

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or reject the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: _____

Proclamation

4 [P-1920-2](#) PROCLAMATION P-1920-2: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, JULY 27, 2019, AS "TOURIST FOR A DAY" IN THE CITY OF NORMAN.

Attachments: [Text File](#)

[Tourist for a Day](#)

ACTION NEEDED: Motion to acknowledge receipt of Proclamation P-1920-2 proclaiming Saturday, July 27, 2019, as "Tourist for a Day" in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

5 Consent Docket*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 6 through Item 21 be placed on the consent docket.

ACTION NEEDED: Motion to place Item _____ through Item _____ on the Consent Docket by unanimous vote.

ACTION TAKEN: _____

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.

ACTION TAKEN: _____

Ordinance

- 6 [O-1920-4](#) CONSIDERATION OF ORDINANCE O-1920-4 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 13-108, IN ARTICLE I OF CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING ARTICLE XXXIV, SECTIONS 13-3401 THROUGH 13-3407, IN CHAPTER 13 (LICENSES AND OCCUPATIONS); AMENDING SECTIONS 420.1 (A-1, GENERAL AGRICULTURAL DISTRICT), 420.2 (A-2, RURAL AGRICULTURAL DISTRICT), 422.7 (RO, RESIDENCE-OFFICE DISTRICT), 422.9 (O-1, OFFICE INSTITUTIONAL DISTRICT), 423.1 (CO, SUBURBAN OFFICE COMMERCIAL DISTRICT), 423.2 (C-1, LOCAL COMMERCIAL DISTRICT), 424.1 (C-2, GENERAL COMMERCIAL DISTRICT), 424.2 (TC, TOURIST COMMERCIAL DISTRICT), 424.3 (CR, RURAL COMMERCIAL DISTRICT), 425.1 (C-3, INTENSIVE COMMERCIAL DISTRICT), 426.1 (I-1, LIGHT INDUSTRIAL DISTRICT), 428.1 (M-1, RESTRICTED INDUSTRIAL DISTRICT), 429 (MUD, MIXED USE DEVELOPMENT DISTRICT), ALL IN ARTICLE XI OF CHAPTER 22 (ZONING ORDINANCE); AND AMENDING SECTION 450 (DEFINITIONS), IN ARTICLE XIV OF CHAPTER 22 (ZONING ORDINANCE); ALL IN ORDER TO UPDATE LICENSING FOR MEDICAL MARIJUANA ESTABLISHMENTS AS ALLOWED BY STATE LAW, TO ADD AND UPDATE PERMITTED AND SPECIAL USES TO THE ZONING ORDINANCE TO ALLOW FOR THE LOCATION OF MEDICAL MARIJUANA ESTABLISHMENTS AND USES IN CONFORMANCE WITH STATE LAW, AND TO ADD DEFINITIONS AND OTHER RELATED PROVISIONS; DECLARING AN EMERGENCY AS PROVIDED BY ARTICLE XII, SECTION 5 OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: [Text File](#)

[Staff Report](#)

[O-1920-4 Annotated](#)

[O-1920-4 Clean](#)

[7-11-19 PC Minutes](#)

ACTION NEEDED: Motion to Introduce and adopt Ordinance O-1920-4 upon First Reading by title.

ACTION TAKEN: _____

Report/Communication

- 7 [RPT-1920-1](#) SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JUNE 30, 2019, AND DIRECTING THE FILING THEREOF.

Attachments: [Text File](#)

[Finance Investment Report](#)

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

- 8 [RPT-1920-3](#) SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE, 2019, AND DIRECTING THE FILING THEREOF.

Attachments: [Text File](#)

[Monthly Report June 2019](#)

ACTION NEEDED: Motion to acknowledge receipt of the reports and direct the filing thereof.

ACTION TAKEN: _____

- 9 [RPT-1920-7](#) SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Attachments: [Text File](#)

[Change Order 18- Central Library](#)

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

- 10 [RPT-1920-6](#) SUBMISSION OF THE NORMAN REGIONAL HEALTH SYSTEM 2020 BUDGET.

Attachments: [Text File](#)

[NRHS Budget](#)

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

Request for Payment

- 11 [GID-1920-3](#) CONSIDERATION OF PAYMENT OF FYE 2020 DUES ASSESSMENT IN THE AMOUNT OF \$65,394 TO THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) FOR THE PERIOD OF JULY 1, 2019, THROUGH JUNE 30, 2020.

Attachments: [Text File](#)

[ACOG Dues](#)

ACTION NEEDED: Motion to approve or reject payment of FYE 2019 dues assessment in the amount of \$65,394 to the Association of Central Oklahoma Governments through June 30, 2020.

ACTION TAKEN: _____

Contract

- 12 [K-1819-136](#) CONSIDERATION OF AWARDING BID 1819-48, GROUPS C, F, H, J, K, P, R, U, V, W, Y, AND CC; CONTRACT K-1819-136 BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND MCKINNEY OFFICE SUPPLY, INC., IN THE AMOUNT OF \$167,024.38, AND ACCEPTANCE OF AN ASSOCIATED LETTER OF CREDIT IN LIEU OF REQUIREMENT FOR PERFORMANCE BOND, STATUTORY BOND, AND MAINTENANCE BOND FOR THE PURCHASE AND INSTALLATION OF FURNITURE AND ACCESSORIES FOR THE NORMAN PUBLIC LIBRARY CENTRAL.

Attachments: [Text File](#)

[Contract K-1819-136 - McKinney Office Supply - Central Library Furniture Contr](#)

[Irrevocable Letter of Credit - signed](#)

[Group C](#)

[Group F](#)

[Group H](#)

[Group J](#)

[Group K](#)

[Group P](#)

[Group R](#)

[Group U](#)

[Group V](#)

[Group W](#)

[Group Y](#)

[Group CC](#)

[PR McKinney](#)

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to accept or reject all bids meeting specifications for Groups C, F, H, J, K, P, R, U, V, W, Y, and CC; and, if accepted, award the bid in the amount of \$167,024.38 to McKinney Office Supply, Inc., as the lowest and best bidder meeting specifications; approve Contract K-1819-136 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; and direct the filing of the bonds.

ACTION TAKEN: _____

- 13 [K-1819-132](#) AMENDMENT NO. ONE TO CONTRACT K-1819-132: BY AND
 [AMD #1](#) BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND FLINTCO,
 L.L.C., INCREASING THE CONTRACT AMOUNT BY \$789,352 FOR A
 REVISED CONTRACT AMOUNT OF \$844,352 FOR CONSTRUCTION
 MANAGEMENT AT RISK SERVICES TO PROVIDE CONSTRUCTION
 OF THE NORMAN FORWARD GRIFFIN PARK PHASE III PROJECT.

Attachments: [Text File](#)

[Flintco Amendment 1 - Griffin Park Ph III - Revised](#)

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to approve or reject Amendment No. One to Contract K-1819-132 with Flintco, L.L.C., increasing the contract amount by \$789,352 for a revised contract amount of \$844,352; and, if approved, authorize the execution thereof and the Mayor to sign performance, statutory, and maintenance bonds contingent upon the City Attorney's approval.

ACTION TAKEN: _____

- 14 [K-1920-22](#) CONTRACT K-1920-22: A CONTRACT BY AND BETWEEN THE CITY
 OF NORMAN, OKLAHOMA, AND OLSSON, INC., IN AN AMOUNT
 NOT-TO-EXCEED \$750,459,84 TO PROVIDE PROGRAM
 MANAGEMENT SERVICES FOR THE 2019 BOND PROJECTS, AND
 ADOPTION OF RESOLUTION R-1920-19 APPROPRIATING AND
 TRANSFERRING FUNDS FOR THE PROJECT.

Attachments: [Text File](#)

[Contract K-1920-22](#)

[R-1920-19](#)

[Appropriation Table](#)

[2019 Bond Projects List and Map](#)

[Requisition](#)

ACTION NEEDED: Motion to approve or reject Contract K-1920-22 with Olsson, Inc., in an amount not-to-exceed \$750,569.84; and, if approved, authorize the execution thereof and adopt Resolution R-1920-19.

ACTION TAKEN: _____

- 15 [K-1920-24](#) CONTRACT K-1920-24: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, THE OKLAHOMA WATER RESOURCES BOARD AND THE U.S. GEOLOGICAL SURVEY IN THE AMOUNT OF \$5,900 TO PROVIDE FOR CANADIAN RIVER WATER QUALITY AND WATER QUANTITY MONITORING THROUGH JUNE 30, 2020.

Attachments: [Text File](#)

[FYE20 USGS-OWRB Stream Monitoring Agreement.pdf](#)

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract K-1910-24 with the Oklahoma Water Resources Board and the U.S. Geological Survey in the amount of \$5,900 for Fiscal Year 2020; and, if accepted authorize the execution thereof.

ACTION TAKEN: _____

- 16 [K-1920-27](#) CONTRACT K-1920-27: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA FOR THE PURPOSE OF CERTIFYING NORMAN'S DISPUTE MEDIATION PROGRAM BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020.

Attachments: [Text File](#)

[K-1920-27](#)

ACTION NEEDED: Motion to approve or reject Contract K-1920-27 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2020; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

- 17 [K-1920-29](#) CONTRACT K-1920-29: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTER FOR CHILDREN AND FAMILIES, INC., IN THE AMOUNT OF \$120,000 FOR USE IN THE BOYS & GIRLS CLUB OF NORMAN.

Attachments: [Text Files](#)

[K-1920-29](#)

ACTION NEEDED: Motion to approve or reject Contract K-1920-29 with Center for Children and Families, Inc., in the amount of \$120,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

WCC Court

- 18 [GID-1920-6](#) CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$16,957.50 REGARDING KYLE L. BERNHARDT V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE 2018-00235 R (BACK).

Attachments: [Text File](#)

[June 27, 2019 Order-Kyle Bernhardt](#)

[Bernhardt Order - PRs - CC 7-23-19](#)

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Court Order and direct payment of claims in the amount of \$16,957.50, which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Resolution

- 19 [R-1819-66](#) AMENDMENT NO. ONE TO RESOLUTION R-1819-66: A RESOLUTION
 [Amd #1](#) OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING A CHARTER REVIEW COMMISSION FOR THE PURPOSE OF CONDUCTING A TARGETED REVIEW OF THE NORMAN CITY CHARTER AND TO REPORT ITS FINDINGS TO THE CITY COUNCIL.

Attachments: [Text File](#)

[Amendment to R-1819-66 Clean](#)

[Amdment R-1819-66 annotated](#)

ACTION NEEDED: Motion to approve or reject Amendment No. One to Resolution R-1819-66.

ACTION TAKEN: _____

- 20 [R-1920-11](#) RESOLUTION R-1920-11: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$90,289.75 REFUNDED FROM THE OKLAHOMA DEPARTMENT OF TRANSPORTATION TO BE USED FOR THE 24TH AVENUE EAST WIDENING PROJECT.

Attachments: [text File](#)

[R-1920-11](#)

[Location Map](#)

[ODOT Refund Letter](#)

ACTION NEEDED: Motion to adopt or reject Resolution R-1920-11.

ACTION TAKEN: _____

Resolution WCC

- 21 [R-1920-16](#) RESOLUTION R-1920-16: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENTS OF THE CLAIMS FILED BY CHRIS KOSCINSKI UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF CHRIS KOSCINSKI V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE NOS. 2015-06809 A; 2015-06363 K; 2016-00738 H; and 2017-00239 Q; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Attachments: [text File](#)

[Koscinski Res-1920-16 cc 7-23-19](#)

[Koscinski-Release R-1920-16](#)

[Koscinski PR R-1920-16 cc 7-23-19](#)

ACTION NEEDED: Motion to adopt or reject Resolution R-1910-16.

ACTION TAKEN: _____

Non-Consent Items

- 22 [O-1920-3](#) CONSIDERATION OF ORDINANCE O-1920-3 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA IMPLEMENTING AMENDMENTS THROUGHOUT THE CENTER CITY FORM BASED CODE ("CCFBC"), WHICH IS INCORPORATED BY REFERENCE IN CHAPTER 22 OF THE CITY CODE AT SECTION 429.7, TO REPLACE, SUPPLEMENT, OR CORRECT LANGUAGE THROUGHOUT THE CCFBC TO RESOLVE INCONSISTENCIES OR INACCURACIES, INCLUDING THE INTRODUCTION, PART 2 ("ADMINISTRATION, APPLICATION PROCESS & APPEALS"), PART 3 ("THE REGULATING PLAN"), PART 4 ("BUILDING FORM STANDARDS"), PART 5 ("URBAN SPACE STANDARDS"), AND PART 8 ("DEFINITIONS"); TO AMEND REFERENCES TO BUILDING FORM STANDARDS AND AMEND SECTION 303 ("THE ILLUSTRATIVE REGULATING PLAN") WITHIN PART 3 ("THE REGULATING PLAN"); TO AMEND AND SUPPLEMENT GENERAL PROVISIONS AND THE BUILDING FORM STANDARDS IN PART 4 ("BUILDING FORM STANDARDS"); TO AMEND REQUIREMENTS IN PART 6 ("PARKING AND LOADING STANDARDS"); TO AMEND AND SUPPLEMENT USES IDENTIFIED IN PART 7 ("BUILDING FUNCTIONS"), INCLUDING THE ADDITION OF A SPECIAL USE FOR DWELLING UNITS WITH FOUR OR MORE BEDROOMS TO SECTION 704 ("DEVELOPMENT AND PERFORMANCE STANDARDS"); TO AMEND AND ADD DEFINITIONS TO PART 8 ("DEFINITIONS"); TO ADD PART 9 ("SITE DEVELOPMENT REQUIREMENTS"); AND TO MAKE OTHER LANGUAGE ALTERATIONS AS NECESSITATED BY OR CONSISTENT WITH THESE AMENDMENTS, DECLARING AN EMERGENCY, AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: [text File](#)

[Staff Report](#)

[O-1920-3 CCFBC Clean Copy](#)

[Annotated O-1920-3 - CCFBC Amendments](#)

[6-27-19 Pre-Development Minutes - CCFBC](#)

[7-8-19 PC Minutes - CCFBC](#)

[CCFBC Final 7-23-19](#)

ACTION NEEDED: Motion to adopt or reject Ordinance O-1920-3 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to approve Emergency Section No. 8.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1920-3 upon Final

Reading as a whole.

ACTION TAKEN: _____

23 Council Comments

Miscellaneous Discussion

This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited to three minutes or less.

- 24 [GID-1920-9](#) CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(4) TO DISCUSS PENDING LITIGATION ASSOCIATED WITH GOLDEN TRIBE, L.L.C., VS. CITY OF NORMAN, CLEVELAND COUNTY COURT CASE CV-2018-1142; AND FLESKE HOLDING COMPANY, L.L.C., VS. CITY OF NORMAN, CLEVELAND COUNTY COURT CASE CV-2018-956; AND AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B) (1) AND § 307(B)(4) JENNIFER SCHMIDT VS. CITY OF NORMAN, WORKER'S COMPENSATION COMMISSION CASE CM-2019-02577 AND JENNIFER SCHMIDT AND IAFF VS. THE CITY OF NORMAN, GRIEVANCE FYE 2019-SCH.

Attachments: [text file](#)

ACTION NEEDED: Motion to adjourn out of the City Council Meeting and convene into an Executive Session in order to discuss pending litigation associated with Golden Tribe, L.L.C., vs. City of Norman, Cleveland County Court Case CV-2018-1142, and Fleske Holding Company, L.L.C., vs. City of Norman, Cleveland County Court Case CV-2018-956, and as authorized by Oklahoma Statutes Title 25 § 307(B)(1) and § 307(B)(4) Jennifer Schmidt vs. City of Norman, Workers' Compensation Commission Case CM-2019-02577 and Jennifer Schmidt and IAFF vs. the City of Norman, Grievance FYE 2019-SCH.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adjourn out of Executive Session and reconvene the City Council Meeting.

ACTION TAKEN: _____

25 Adjournment