



CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

**Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Tuesday, June 13, 2023 at 6:30 PM**

AGENDA

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, relation, 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 405-366-5446, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY

You are required to sign up in advance of the meeting on the City's webpage, by calling the City Clerk's Office (405-366-5406), or at the Council Chambers prior to the start of the meeting with your name, ward, and item you wish to speak to including whether you are a proponent or opponent. When the time comes for public comments, the Clerk will call your name and you can make your way to the podium. Comments may be limited on items of higher interest, if so, the Mayor will announce that at the beginning of the meeting. Participants may speak one time only up to 3 minutes per person per item. There will be no yielding of time to another person. Sign up does not guarantee you will get to speak if the allotted time for that item has already been exhausted. If there is time remaining after those registered to speak have spoken, persons not previously signed up may have the opportunity to speak. Comments received must be limited to the motion on the floor only.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

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

CITY COUNCIL RETREAT MINUTES OF JULY 21-22, 2022

CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 7, 2023

CITY COUNCIL STUDY SESSION MINUTES OF FEBRUARY 21, 2023

CITY COUNCIL MINUTES OF MARCH 28, 2023

NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 28, 2023

NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 28, 2023

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 28, 2023

PROCLAMATIONS

2. CONSIDERATION OF ACKNOWLEDGMENT, ACCEPTANCE, REJECTION, AND/OR POSTPONEMENT OF PROCLAMATION P-2223-30: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MONDAY, JUNE 19, 2022, AS JUNETEENTH DAY IN THE CITY OF NORMAN.

COUNCIL ANNOUNCEMENTS

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 3 through Item 22 be placed on the consent docket.

First Reading Ordinance

3. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE NO. O-2223-48 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADDING ARTICLE 16-XI UNSOLICITED WRITTEN MATERIALS TO CHAPTER 16 HEALTH AND SAFETY, SECTIONS 16-1101 THROUGH 16-1103 TO ADD DEFINITIONS, PROHIBITIONS ON PLACEMENT OF UNSOLICITED WRITTEN MATERIALS, AND PENALTIES FOR VIOLATIONS THEREOF; AMENDING APPENDIX B CITY OF NORMAN PENALTY AND FINE SCHEDULE TO INCLUDE PENALTY FOR VIOLATIONS OF SECTION 16-1102; AND PROVIDING THE SEVERABILITY THEREOF

4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2223-51 UPON FIRST READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FURTHER AMENDING ORDINANCE O-1819-44 AS AMENDED BY ORDINANCE O-1920-68 AS AMENDED BY ORDINANCE O-2122-32 FIXING THE COMPENSATION OF THE CITY MANAGER AS PROVIDED BY ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE EFFECTIVE DATE FOR COMPENSATION TO BEGIN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Easement

5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-39: DEDICATION OF ADDITIONAL PUBLIC UTILITY EASEMENT BY THE CITY OF NORMAN FOR USE BY FRANCISEES AND THE CITY, AND AS A PART OF THE JENKINS AVENUE WIDENING 2019 BOND PROJECT.
6. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2223-40: A REPLACEMENT UTILITY EASEMENT FROM THE CITY OF NORMAN TO OKLAHOMA NATURAL GAS FOR THE PURPOSES OF THE JENKINS AVENUE WIDENING 2019 BOND PROJECT.

Certificate of Survey

7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2223-2: FOR SUNSET HILLS WITH VARIANCES IN THE MINIMUM FRONTAGE REQUIREMENT, FRONT BUILDING SETBACK WIDTH REQUIREMENT, PRIVATE ROAD WIDTH FOR TRACT FOUR AND EASEMENTS E-2223-37 AND E-2223-38 (GENERALLY LOCATED ON THE EAST SIDE OF 60TH AVENUE NE AND APPROXIMATELY ½ MILE NORTH OF EAST ROCK CREEK ROAD).

Contracts

8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. 4 TO CONTRACT K-1213-165: BETWEEN THE CITY OF NORMAN AND GARVER ENGINEERS, IN THE AMOUNT OF \$12,000.00, FOR ADDITIONAL ENGINEERING AND SURVEY SERVICES PERTAINING TO THE VACATION OF RIGHT OF WAY AT THE INTERSECTIONS OF DAWS STREET AND PORTER AVENUE IN CONJUNCTION WITH THE PORTER AVENUE STREETScape 2019 BOND PROJECT, PROJECT BP0418.

9. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ELEVEN TO CONTRACT K-1617-114: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND P.D.G., L.L.C., D/B/A PLANNING DESIGN GROUP, INCREASING THE CONTRACT AMOUNT BY \$8,903.50 FOR A REVISED CONTRACT AMOUNT OF \$1,928,761 TO PROVIDE ADDITIONAL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES RELATING TO THE NORTH BASE PHASE 2 VEHICLE WASH FACILITY.
10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE FINAL ACCEPTANCE OF CONTRACT K-1819-132: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FLINTCO L.L.C., FOR THE REAVES PARK RENOVATION CONSTRUCTION PROJECT AND FINAL PAYMENT OF \$291,713.01.
11. CONSIDERATION OF AWARDED, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. 2 TO CONTRACT K-1920-49: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANTEC IN THE AMOUNT OF \$473,185.60 FOR BIDDING AND PROCUREMENT SERVICES ASSOCIATED WITH THE EQUIPMENT NEEDED FOR THE NORMAN TRAFFIC MANAGEMENT CENTER WITH BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.
12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. 2 TO CONTRACT K-2223-1 BY AND BETWEEN THE CITY OF NORMAN AND ARROYO'S CONCRETE LLC DECREASING THE CONTRACT AMOUNT BY \$9,626.95 FOR A REVISED AMOUNT OF \$1,129,570.65 AND THE FINAL ACCEPTANCE OF CONTRACT K-2223-1 AND FINAL PAYMENT OF \$56,478.30 FOR THE URBAN CONCRETE, FYE 2023 LOCATIONS, BID 1 PROJECT
13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-138: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RHOMBIC LLC IN THE AMOUNT OF \$84,000 FOR THE DESIGN OF THE STREET MAINTENANCE BOND FYE 2024 URBAN RECONSTRUCTION PROJECTS AND APPROPRIATION OF \$84,000 FROM THE FUND BALANCE 2021 STREET MAINTENANCE BOND PROGRAM TO THE STREET MAINTENANCE BOND FYE 2024 URBAN RECONSTRUCTION PROJECT ACCOUNTS.
14. CONSIDERATION OF AWARDED, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K2223-158: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARKILL IN THE AMOUNT OF \$223,162 FOR DESIGN SERVICES FOR TWO MILES OF MULTIMODAL PATH ALONG STATE HIGHWAY 9 BETWEEN 48th AVENUE SE AND 72nd AVENUE SE WITH BUDGET APPROPRIATIONS (\$110,000 FROM THE 718 N. PORTER ARCHITECTURAL AND ENGINEERING ACCOUNT, \$40,000 FROM TRAFFIC CALMING, AND \$73,162 FROM STREET STRIPING) TO STATE HIGHWAY 9 MULTIMODAL PATH DESIGN.

Resolutions

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. ONE TO RESOLUTION R-2021-18: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ESTABLISHING A TWO-YEAR PILOT PROGRAM ALLOWING BUILDING PERMIT FEES CHARGED PURSUANT TO SECTION 6-105 OF THE NORMAN CITY CODE TO BE ADJUSTED AND SATISFIED AS AN INCENTIVE FOR ELIGIBLE DWELLINGS ACHIEVING CERTAIN VISITABILITY STANDARDS SET FORTH IN ICC SECTION A117.1-2009.
16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-141: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA TRANSFERRING \$162,000 FROM THE ROBINSON STREET WEST OF I-35 PROJECT TO THE JENKINS AVENUE WIDENING PROJECT FOR THE RELOCATION OF CITY UTILITY FIBER ON JENKINS AVENUE.
17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-142: A RESOLUTION OF THE TRUSTEES OF THE NORMAN MUNICIPAL AUTHORITY APPROPRIATING \$250,000 FROM SANITATION FUND BALANCE TO SANITATION TIPPING FEE ACCOUNT.
18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-144: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE ACQUISITION CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE JENKINS AVENUE 2019 BOND PROJECT IN THE CITY OF NORMAN; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY, UTILITY AND DRAINAGE PURPOSES, AND AUTHORIZING INITIATION OF EMINENT DOMAIN PROCEEDINGS FOR THAT PURPOSE.
19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-145: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN MUNICIPAL AUTHORITY, REDUCING APPROPRIATIONS FROM THE NORMAN FORWARD FUND BALANCE BY \$4,228,415 AND RE-ALLOCATING SURPLUS FUNDS FROM COMPLETED PROJECTS.
20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-148: A RESOLUTION OF THE CITY OF NORMAN APPROPRIATING \$243,000 FROM THE CAPITAL FUND BALANCE TO BE USED FOR FURNITURE AND EQUIPMENT PURCHASES FOR THE ADULT WELLNESS AND EDUCATION CENTER PROJECT.

21. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-149: A RESOLUTION OF THE CITY OF NORMAN, OKLAHOMA (THE "CITY") APPROVING ACTION TAKEN BY THE NORMAN UTILITIES AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF ITS CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT WHEREBY THE CITY LEASES ITS WATER AND SANITARY SEWER SYSTEMS TO THE AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.
22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-150: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY (THE "BORROWER") AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE CLEAN WATER STATE REVOLVING FUND PROGRAM; APPROVING AND AUTHORIZING CLEAN WATER SRF FUNDING FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$830,000.00; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$830,000, AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A PROJECT COSTS DISBURSEMENT ACCOUNT AND APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT WHEREBY THE CITY OF NORMAN, OKLAHOMA LEASED ITS WATER AND SANITARY SEWER SYSTEMS TO THE AUTHORITY; APPROVING PROFESSIONAL SERVICES AGREEMENTS; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

NON-CONSENT ITEMS

23. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-143: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A RECOUPMENT PROJECT FOR COSTS ASSOCIATED WITH JENKINS AVENUE WIDENING PROJECT, AN ARTERIAL ROAD, FROM IMHOFF TO LINDSEY STREET.

MISCELLANEOUS COMMENTS

This is an opportunity for citizens to address City Council. Due to Open Meeting Act regulations, Council is not able to participate in discussion during miscellaneous comments. Remarks should be directed to the Council as a whole and limited to three minutes or less.

ADJOURNMENT