



CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Tuesday, June 28, 2022 at 6:30 PM

AGENDA

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

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.

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

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 1 through Item 24 be placed on the consent docket.

Appointments

1. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR’S APPOINTMENTS AS FOLLOWS:

CITIZENS OVERSIGHT COMMITTEE FOR TAX INCREMENT FINANCE DISTRICT NO. 2

TERM: 06-28-22 TO 04-10-24: KAIMEE KELLIS, WARD 4

ECONOMIC DEVELOPMENT ADVISORY BOARD

TERM: 08-13-21 TO 08-13-24: HOSSEIN FARZANAH, WARD 3

TERM: 08-13-21 TO 08-13-24: CHRIS PURCELL, WARD 2

GREENBELT COMMISSION

TERM: 06-28-22 TO 07-13-25: RICHARD BORNHAUSER, WARD 3

NORMAN REGIONAL HOSPITAL AUTHORITY

TERM: 06-28-22 TO 10-31-22: PAULA ROBERTS, WARD 6

2. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PROPOSED APPOINTMENTS OF DREW NICHOLS AS PRESIDING JUDGE; GAYLE BLAYLOCK AND BLAINE NICE AS ASSOCIATE JUDGES, AND DAVID POARCH AS ACTING JUDGE OF THE MUNICIPAL CRIMINAL COURT EACH FOR A TERM BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2024.

Reports/Communications

3. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MAY 31, 2022, AND DIRECTING THE FILING THEREOF.
4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MAY, 2022.
5. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER’S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Final Plat

6. CONSIDERATION FOR APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A FINAL PLAT FOR THE SUMMIT VALLEY ADDITION, SECTION 3 AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE NORTH OF HIGHWAY 9 AND ONE-HALF MILE EAST OF 24TH AVENUE SE.)

Contracts

7. CONSIDERATION OF APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. THREE TO CONTRACT K-1920-133: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND CROSSLAND CONSTRUCTION COMPANY, INC., INCREASING THE GUARANTEED MAXIMUM PRICE BY \$492,185.38 FOR ADDITIONAL COSTS ASSOCIATED WITH THE ASBESTOS ABATEMENT FOR THE DEVELOPMENT CENTER PORTION OF THE MUNICIPAL COMPLEX RENOVATION PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.
8. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF REQUEST FOR AUTHORIZATION FOR PARTIAL RELEASE OF RETAINAGE, REDUCING RETAINAGE FROM 5% TO 2.5%, FOR PAYMENT PURSUANT TO CONTRACT K-2021-35 BETWEEN THE CITY OF NORMAN AND FLINTCO LLC, RELATING TO THE NORTH BASE COMPLEX PHASE 1 PROJECT.
9. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FOUR TO CONTRACT K-2021-97: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND GE JOHNSON CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$2,653,243 FOR A REVISED CONTRACT AMOUNT OF \$41,677,428 FOR CONSTRUCTION MANAGEMENT AT-RISK SERVICES FOR THE CONSTRUCTION OF THE YOUNG FAMILY ATHLETIC CENTER.
10. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FIVE TO CONTRACT K-2021-115: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CROSSLAND CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$423,737 FOR A REVISED CONTRACT AMOUNT OF \$11,582,248 FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE SENIOR WELLNESS CENTER AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONTRACT K-2122-127: A REVOCABLE RIGHT-OF-WAY LICENSE AND AGREEMENT BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CUSTARD FACTORY, INC., IN THE AMOUNT OF \$100.00 PER YEAR ALLOWING PLACEMENT OF STRING LIGHTS AND POLES WITHIN THE PUBLIC RIGHT-OF-WAY.
12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-131: AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY (COTPA) D/B/A EMBARK TO PROVIDE TRANSIT SERVICES FOR THE CITY OF NORMAN FROM JULY 1, 2022, THROUGH JUNE 30, 2023, IN AN AMOUNT NOT TO EXCEED \$3,560,195.
13. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-140: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND STANLEY R. SENDELBACH IN THE AMOUNT OF \$450 PER YEAR BY THE TENANT FOR AGRICULTURAL LEASE OF THE PROPERTY AT 4020 EAST TECUMSEH ROAD.
14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONTRACT K-2122-141: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PINNACLE VIEW, L.L.C., FOR THE LEASE OF PROPERTY LOCATED AT 307 WEST GRAY STREET FOR A PERIOD OF THREE YEARS SUBJECT TO ANNUAL APPROPRIATION OF FUNDS.
15. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONTRACT K-2122-142: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN ECONOMIC DEVELOPMENT COALITION FOR THE USE OF ONE MILLION DOLLARS (\$1,000,000) IN AMERICAN RESCUE PLAN ACT FUNDS FOR QUALIFYING ECONOMIC DEVELOPMENT EXPENDITURES.
16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$1,000,000 IN CITY OF NORMAN AMERICAN RESCUE PLAN ACT (ARPA) ENTITLEMENT FUNDS FROM THE SPECIAL GRANT FUND BALANCE TO BE USED BY THE NORMAN ECONOMIC DEVELOPMENT COALITION FOR THE IMPLEMENTATION OF BUSINESS INCUBATOR PROGRAMS.

Deed

- 17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONVEYANCE OF TITLE BY QUIT CLAIM DEED FOR PROPERTY LOCATED AT 531 EAST SYMMES STREET TO THE NORMAN AFFORDABLE HOUSING CORPORATION FOR USE AS RENTAL HOUSE FOR HOUSEHOLDS AT OR BELOW THE 80% MEDIAN FAMILY INCOME THRESHOLD.

Resolutions

- 18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-134: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING MESHEK AND ASSOCIATES, L.L.C., AS AN AGENT FOR THE CITY OF NORMAN, TO SUBMIT A HAZARD MITIGATION GRANT PROGRAM GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR PHASE I IMPROVEMENTS PLANNED FOR LOWER IMHOFF CREEK.
- 19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-138: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$3,000,000 IN CITY OF NORMAN AMERICAN RESCUE PLAN ACT (ARPA) ENTITLEMENT FUNDS FROM THE SPECIAL GRANT FUND BALANCE TO BE USED FOR FUNDING THE LOWER IMHOFF CREEK BANK STABILIZATION PROJECT.
- 20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING PROCEDURES ALLOWING BUILDING PERMIT FEES CHARGED PURSUANT TO SECTION 5-105(1)(D) OF THE NORMAN CITY CODE TO BE ADJUSTED AND SATISFIED AS AN INCENTIVE FOR RESIDENTIAL HOMES ACHIEVING CERTAIN HOME ENERGY RATING SYSTEM (HERS) ENERGY RATING INDEX (ERI) SCORES, AND EXTENSION OF THE PILOT PROGRAM ESTABLISHED IN RESOLUTION R-1718-117 THROUGH JUNE 30, 2024.
- 21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF RESOLUTION R-2122-139: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SETTING FORTH A PROCESS FOR COUNCIL TO FOLLOW IN THE EVENT OF A VACANCY ON CITY COUNCIL.

22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-136: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY (THE "AUTHORITY") AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE CLEAN WATER STATE REVOLVING FUND PROGRAM, WITH THE LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING ADVANCED WATER METERING IMPROVEMENTS FOR THE CITY OF NORMAN, OKLAHOMA; APPROVING A PROFESSIONAL SERVICES AGREEMENT; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Settlement

23. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF CITY OF NORMAN V. RON ASHLEY, CLEVELAND COUNTY DISTRICT COURT CASE CJ-2021-337, IN THE AMOUNT OF \$210,000.

Postponement

24. CONSIDERATION OF POSTPONEMENT OF ORDINANCE O-2122-48 UNTIL AUGUST 9, 2022: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GRANTING TO THE OKLAHOMA GAS AND ELECTRIC COMPANY, AN OKLAHOMA CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO PRODUCE, TRANSMIT AND DISTRIBUTE ELECTRICITY WITHIN THE CITY LIMITS AND TO SELL ELECTRICITY THEREIN FOR ALL PURPOSES FOR WHICH IT MAY BE USED, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, ITS INHABITANTS AND THE PUBLIC GENERALLY, AND THE RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF POLES, WIRES, CONDUITS AND OTHER FACILITIES AND EQUIPMENT IN, UPON, ACROSS, UNDER AND OVER THE STREETS, ALLEYS, PUBLIC GROUNDS AND OTHER PLACES IN THE CITY FOR SUCH PURPOSES FOR A PERIOD OF TWENTY-FIVE (25) YEARS BEGINNING ON JANUARY 11, 2023, AND ENDING ON JANUARY 10, 2048, SUBJECT TO THE APPROVAL OF THE VOTERS AND ACCEPTANCE OF THIS ORDINANCE; PROVIDING COMPENSATION TO THE CITY; AND CALLING A SPECIAL ELECTION ON JANUARY 10, 2023.

NON-CONSENT ITEMS

25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-111: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FOUR (4), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE MIXED USE DESIGNATION AND PLACE THE SAME IN THE LOW DENSITY RESIDENTIAL DESIGNATION. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

26. CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-42 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 REMOVE PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FOUR (4), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

27. CONSIDERATION FOR APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A PRELIMINARY PLAT FOR THE VILLAGES ADDITION, A PLANNED UNIT DEVELOPMENT. (NORTHWEST CORNER OF EAST IMHOFF ROAD AND OAKHURST AVENUE.)

28. CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-43 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 CHURCH, TEMPLE OR OTHER PLACE OF WORSHIP IN THE R-3, MULTI-FAMILY DWELLING DISTRICT FOR LOT SIXTEEN (16), IN BLOCK ONE (1), OF LINCOLN ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (494 ELM AVENUE)

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