



# CITY OF NORMAN, OK CITY COUNCIL COMMUNITY PLANNING & TRANSPORTATION COMMITTEE MEETING

Municipal Building, Executive Conference Room, 201 West Gray, Norman,  
OK 73069

Thursday, May 25, 2023 at 4:00 PM

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## MINUTES

### AMENDED

*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.*

### CALL TO ORDER

Chairman Holman called the meeting to order at 4:00 p.m.

### PRESENT

Councilmember Ward 7 Stephen Holman, Chair

### ABSENT

Councilmember Ward 2 Lauren Schueler  
Councilmember Ward 8 Matthew Peacock

### OTHERS PRESENT:

Councilmember Ward 4 Helen Grant  
Mr. Greg Clark, Development Services Manager  
Ms. April Doshier, Director of Food and Shelter for Friends  
Mr. Joe Hill, Streets Program Manager  
Ms. Jane Hudson, Director of Planning and Community Development  
Mr. Taylor Johnson, Transit and Parking Program Manager  
Ms. Beth Muckala, Assistant City Attorney  
Mr. Shawn O'Leary, Director of Public Works  
Mr. Anthony Purinton, Assistant City Attorney  
Mr. Darrel Pyle, City Manager  
Mr. Jessie Rush, Assistant Director of Operations, EMBARK  
Mr. Kelvin Winter, Code Compliance Supervisor

## AGENDA ITEMS

### 1. PUBLIC TRANSIT REPORT.

Mr. Taylor Johnson, Transit and Parking Program Manager, said the fixed route service transported 28,479 passengers in April 2023, compared to 22,690 in April 2022. The daily average ridership was 1,096 and there were 760 passengers with bicycles and 294 passengers with wheelchairs or other mobility devices transported in April. He said ridership is surpassing pre-pandemic levels.

The paratransit service transported 1,965 passengers in April 2023, compared to 2,119 in April 2022. Average daily ridership was 76, an increase of 3.85% compared to April 2022.

Saturday service totaled 3,179 in April 2023, a 46.30% increase over 2,173 in April 2022.

Mr. Johnson said Staff continues to work closely with the contractor regarding renovation of 320 East Comanche Street into a City Transit Center. He said asbestos inside the building has been removed so contractors are now working on the interior and outside exterior work is going well.

On December 13, 2022, Council approved a resolution to alter bus routes and transit bus services as recommended in the Go Norman Transit Plan to take effect in October 2023. Staff continues to work on implementing the newly approved changes, which includes changes to bus stops, signage, and advertising as well as operator training.

On April 12, 2023, Council approved a grant application to the Federal Transit Administration's (FTA) Bus and Bus Facilities and Low-or No-Emissions Grants to purchase six Compressed Natural Gas (CNG) cutaway buses for fleet replacement. Staff continues to research eligible grants to support existing operations, vehicle needs, and future improvements.

The Request for Proposal's (RFPs) for turnkey microtransit services offered Monday through Saturday from 6:00 a.m. to 12:00 a.m. or 7:00 a.m. to 1:00 a.m. as well as on Sunday from 10:00 a.m. to 6:00 p.m. Request for Proposal's (RFPs) were received May 5, 2023, and the RFP selection committee is reviewing the responses to make a selection. Once a selection is made an agenda item, including the RFP process and a proposed contract, will be developed for Council's consideration.

Mr. Johnson said two new electric busses are now in service and the City is due to receive 13 more vehicles in July or August. He said the City has replaced 15 out of 27 vehicles and thanked Council for their support. Chairman Holman said Staff has done a tremendous job on obtaining grants for busses and thanked Staff for their diligence in obtaining funding.

Mr. Johnson said the Fleet Maintenance Division continues to ensure the transit fleet is in operational condition each morning, despite the age of the vehicles. The maintenance includes fueling, cleaning, and sanitizing each transit vehicle daily.

Item 1, continued:

Chairman Holman said if additional funding is needed for the Transfer Station, please let Council know because he would support allocating funds in order to not cut corners on the facility.

Items submitted for the record

1. Memorandum dated March 25, 2023, from Taylor Johnson, Transit and Parking Program Manager, through Shawn O'Leary, P.E., CFM, Director of Public Works, to Council Community Planning and Transportation Committee
2. EMBARK Norman Performance Report for April 2023

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2. DISCUSSION REGARDING MAINTENANCE RESPONSIBILITIES OF RIGHTS OF WAY BETWEEN BACK OR SIDE YARD FENCES AND ARTERIAL STREETS.

Mr. Shawn O'Leary, Director of Public Works, said there has been inconsistent maintenance of residential right-of-way (ROW) frontages around the City specifically in urban areas along arterial roadways. There has been a high volume of Code Compliance cases involving vegetative maintenance with an annual average of 2,500 Code violations since 2010; however, the numbers are not broken down for ROW so he does not know what percentage of the violations are in the ROW.

City Code requires that maintenance, including mowing and tree trimming, of vegetation along the ROW as it abuts private property is the responsibility of the property owners no matter the street classification or property zoning. Mr. O'Leary said the Code is consistent with other cities and it is a well written Code with most property owners maintaining their property's ROW. A public ROW is a legal public thoroughfare, such as a road or alley, and typically includes the sidewalk and area of frontage directly adjacent to the street. A good rule of thumb is the first expansion joint on a driveway approach in front of the roadway or fifteen feet from the curb typically falls within the public ROW. City mowing services are currently provided by Public Works and Parks Departments.

Mr. Joe Hill, Streets Program Manager, said seven personnel (a cost of \$500,000) within the Street Division conduct ROW mowing operations using three urban zero turn units, four rural route brush hog units, and three crew trucks (approximate cost of \$750,000). He said equipment maintenance costs are approximately \$70,000. The mowing operations include over 7,000 gallons of fuel using during the mowing season costing just below \$30,000 last year and roughly 10,080 hours of Staff time dedicated to mowing operations between March and November annually. Mowing Staff focuses on safety mowing along roadway and intersections as well as sight lines in rural Norman along the Highway 9 corridor, urban interchanges, and other extensions within urban Norman. There is approximately 15 frontage miles maintained within urban Norman and 500 frontage miles maintained in rural Norman annually.

Item 2, continued:

The current budget for contract mowing is \$150,000 (needed when mowing season is heavy). Mr. Hill said just for the Streets Division, there is a combined annual budget of \$1 million to run the internal mowing operations.

Chairman Holman said the Oklahoma Department of Transportation (ODOT) maintained Highway 9, but pushed that maintenance onto the City a few years ago.

Mr. Hill said outsourcing is the most cost effective way to expand maintenance of the current ROW Maintenance Program. It costs approximately \$500,000 per frontage mile of ROW for finish cut mowing and edging (per cycle). He said tree maintenance or trimming is not included in the Program and is usually handled on a case by case basis when needed. There are over 233 miles of residential property frontage abutting arterial urban and rural roadways within Norman, which would require an estimated \$116,500 per mowing cycle or \$1.8 million per year. He said roughly 16 mowing cycles are dependent upon weather and growth conditions.

Mr. Hill said possible solutions include increasing funding for Code Compliance to utilize on-call mowing contractor for mitigation on case by case basis; public outreach or messaging to engage and educate residents on City Code and maintenance responsibilities of the community; seeking out local non-profit organizations that may be able to assist residents in need of help conducting maintenance on their property; providing a resource link when cases arise; amending the General Fund Budget to add additional Staff and equipment; or amending the General Fund Budget to increase outsourcing service funding for mowing.

Mr. O'Leary suggested Code Compliance create a separate fund to utilize a contractor to abate ROW violations, which is a logical and cost effective approach. Chairman Holman said he would support that option, but he would like the City to take care of the Southlake Addition ROW on the east side of Highway 77 between Southlake Boulevard and Cedar Lane, which has grass and weed overgrowth and debris between the sidewalk and fences. He said this addition no longer has a Homeowner's Association (HOA) and there are a lot of renters that live in the houses that back up to Highway 77. He received a lot of complaints about the area and someone using a wheelchair complained about debris on the sidewalk as well as the tall weeds and grass encroaching onto the sidewalk. He said it is not practical to expect a property owner or renter to push a lawnmower through the entire neighborhood through the cul-de-sac and around to the main road to mow their portion of the ROW on Highway 77.

Mr. Darrel Pyle, City Manager, suggested creating a one-time revolving fund of approximately \$50,000 to allow Code Compliance to abate the violation through an on-call contractor and collect the abatement costs from the property owner to go back into the fund. Mr. Pyle said he understands this could be a slippery slope because the City could end up being responsible for all ROWs not being mowed, which is not the goal.



Councilmember Grant said more public outreach is needed and Mr. O'Leary said Staff can definitely provide outreach to consistent violators. He said property owner's need to understand their responsibilities and that property owners/renters can install a gate to better accommodate mowing ROW on arterial roadways.

Mr. Anthony Purinton, Assistant City Attorney, said the enforcement mechanism could be a citation if the property owner does not abate the ROW violation mowing within the current ten day notice violation process. He said the mowing contractor can mow the property and Code Compliance can cite the property owner to recover costs at the Court level. He said it would be cheaper to pay abatement costs than court fees that can cost be up to \$750.

Mr. O'Leary said there are 12 miles of Highway 77 through Norman and a majority of property owners maintain all of their property.

After further discussion, Chairman Holman asked if the Southlake Addition portion be mowed and the sidewalk swept and Mr. O'Leary said yes, Staff is at capacity on mowing so he will turn this portion over to the contractor.

Items submitted for the record

1. PowerPoint presentation entitled, "Right of Way Mowing/Vegetative Management (should the City expand its current program)," dated May 25, 2023

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### 3. DISCUSSION REGARDING THE VISITABILITY PILOT PROGRAM.

Mr. Greg Clark, Development Services Manager, said a visitability dwelling offers a few specific features making a home easier for mobility-impaired people to live in and visit while an accessible building allows a person with a physical disability to independently get to, enter, and use a site, facility, building or element.

An accessible dwelling unit has no step entry and a compliant entry path is required; routes to be 36 inches wide with doors typically 31.75 inches in the clear wide; bathroom has sink, toilet, and bathing area with backing installed and proper clearances for all of them; kitchen has proper widths, reachable ranges and counter heights with clear spaces for the sink and all appliances; a living room on the accessible floor level has to be compliant including sleeping rooms, laundry rooms, game rooms, and similar; and outlets, lighting controls, switches, environmental controls, electrical panel boards, security controls and similar to be installed at a compliant height and reach distance.

Mr. Clark said the International Code Council (ICC) publishes building codes that promote safety and fire prevention in commercial, government, and residential structures. The ICC is the current standard used for accessibility and the International Building Code (IBC) is adopted by the State of Oklahoma as the minimum standard for all municipalities.

Item 3, continued:

The Oklahoma Uniform Building Code Commission (OUBCC) updates the building codes statewide at their discretion, but generally updates every three years. The 2009 ICC Standard included a new section for visitable units including commercial buildings that have accessible dwelling unit requirements as well.

The original proposed Norman Visitability Code was an organic interpretation of the Fair Housing Act Design Manual, which was published in 1998. The manual is a 300 page design guide, but not a prescriptive code. While many of the concepts in the Fair Housing Act have been put forth in other building codes it is not one Staff has adopted or utilized as a current standard. Staff provided recommendations to the Community Planning and Transportation Committee (CPTC) on May 27, 2021, to consider a two year program adopting the nationally recognized ICC Standards for visitability as an incentive program where participants could receive a credit of \$0.14 per square foot if the home was built to the standard. Council adopted the resolution on June 22, 2021, for a two year pilot program that expired June 23, 2023.

Mr. Clark said there are currently 55 developers enrolled in the program with two having completed the program and received a credit. He said 12 withdrew or did not pass the program; 41 are still in the program as of today; 9 applied in 2021; 40 applied in 2022, and 6 applied in 2023. In discussions with applicants that withdrew, there were common reasons that included a custom front door was not able to be sourced with proper threshold, lot features made the no step entry a challenge, drainage or large elevation changes did not meet standard, and some features wanted were outside the scope of the program.

Staff is recommending keeping the program components as previously written and suggests extending the program for an addition two years. This will allow for the current 41 homes in the program to be completed. It is hoped that once more homes have complete the program, other developers will consider adopting these low impact high value changes. Alternatively, the City could allow the program to sunset or explore a different program with different parameters. Building codes could be updated to make a visitable home a minimum standard and not an incentive.

Chairman Holman said he supports renewing the program for another two years and Councilmember Grant concurred.

Items submitted for the record

1. PowerPoint presentation entitled, "Community Planning and Transportation Committee Visitability Pilot Program," dated May 25, 2023

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#### 4. WARMING SHELTER UPDATE.

Ms. April Doshier, Executive Director of Food and Shelter for Friends, said the warming shelter had 1,419 stays in April 2023, with a nightly average of 47 people. She said case management staff have increased their hours to offer more housing planning and connection to resources and support services. She said in April 2023, there were ten new engagements with Central Oklahoma Mental Health; four women and two men (one veteran) were placed into permanent housing; six women and men are in a current housing plan pending immediate placement; and four new people are back in the work force. She said 41 out of 110 people staying at A Friends House have a job; however, the wages are not enough to pay for permanent housing. She said 84 of the people staying at the shelter have been homeless for more than six months and the shelter turns away dozens of people due to capacity and the only place they have to sleep is somewhere near the shelter where they feel safe.

Councilmember Grant said the shelter hits capacity quickly and Ms. Doshier said it is really challenging in the winter months. Councilmember Grant asked how many beds would be needed and Ms. Doshier said well over 100 beds are needed to really better manage the street homeless population. The shelter currently accommodates 47 people per night and a couple of dozen are turned away every night (those turned away include people with animals). Councilmember Grant asked how many kennels would be needed and Ms. Doshier said 10 to 15. She said people are not going to part with their animal, but would use the shelter if animals were allowed.

Chairman Holman said he is happy to see people being placed in permanent housing and Ms. Doshier said Case Management Staff increased their hours to offer more housing planning, connection to resources, and support services and through this extra effort, there have been amazing outcomes.

Councilmember Grant said if the City was able to create a day work program, would that be something people staying at the shelter would be interested in pursuing and Ms. Doshier said definitely. Mr. Pyle said the City has considered a long term component of the City's Budget (\$50,000 annually) dealing with litter cleanup so there may be an opportunity for a non-profit to organize that labor force and manage those employees for litter cleanup throughout the City. He said the City can identify where work is needed and write a check to the non-profit on a monthly basis to cover those employee expenses. Councilmember Grant asked if an RFP would be needed and Mr. Pyle said that would be the next step.

Ms. Doshier said Food and Shelter Staff is reinvigorating a program called START, which stands for Skills, Training, and Resources for Tomorrow. She said this program focuses on job skills, work skills, life skills, etc. Chairman Holman suggested having more discussion in the Oversight Committee.

Ms. Doshier said although an emergency shelter may seem like a simple bandaid, it really is the first and most critical step to ending someone's homelessness and ending homelessness for Norman.

Item 3, continued:

Items submitted for the record

1. A Friend's House Report for April 2023 provided by Food and Shelter for Friends

## **ADJOURNMENT**

The meeting was adjourned at 5:27 p.m.