



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Tuesday, October 12, 2021 at 6:30 PM

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## MINUTES

### 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.*

### CALL TO ORDER

The Mayor Called the Meeting to order at 6:30 p.m.

### ROLL CALL

#### PRESENT

Mayor Breea Clark  
Councilmember Ward 1 Brandi Studley  
Councilmember Ward 2 Lauren Schueler  
Councilmember Ward 3 Kelly Lynn  
Councilmember Ward 4 Lee Hall  
Councilmember Ward 5 Rarchar Tortorello  
Councilmember Ward 6 Elizabeth Foreman  
Councilmember Ward 7 Stephen Holman  
Councilmember Ward 8 Matthew Peacock

**PLEDGE OF ALLEGIANCE** - Mayor Clark led the Pledge of Allegiance.

## **APPROVAL OF MINUTES**

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

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF MAY 27, 2021

CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 15, 2021

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF JUNE 24, 2021

CITY COUNCIL MINUTES OF SEPTEMBER 28, 2021

NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 28, 2021

NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 28, 2021

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 28, 2021

The minutes were Approved

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Brenda Hall, City Clerk
2. City Council Community Planning and Transportation Committee minutes of May 27, 2021
3. City Council Special Session minutes of June 15, 2021
4. City Council Community Planning and Transportation Committee minutes of June 24, 2021
5. City Council minutes of September 28, 2021
6. Norman Utilities Authority minutes of September 24, 2021
7. Norman Municipal Authority minutes of September 28, 2021
8. Norman Tax Increment Finance Authority minutes of September 28, 2021

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## **PROCLAMATIONS**

### **2. CONSIDERATION OF ACKNOWLEDGEMENT, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2122-8: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2021, AS DOMESTIC VIOLENCE AWARENESS MONTH IN THE CITY OF NORMAN.**

The proclamation was acknowledged.

Item 2, continued:

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Cinthya Allen, Chief Diversity and Equity Officer
2. Proclamation P-2122-8

Participants in discussion

1. Ms. Jessica Collett, Assistant SANE Coordinator, for the Rape Crisis Center accepted the proclamation and thanked the Council.

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## **COUNCIL ANNOUNCEMENTS**

Fall Cleanup. Councilmember Schueler said Ward Two had its big trash curbside pickup this past weekend and reminded citizens with Wednesday trash pickup that their large trash pickup day will be this Saturday.

Councilmember Foreman said Saturday, October 23rd, will be Ward Six large trash pickup day.

Councilmember Holman said Ward Seven's big trash pickup day will be Saturday, October 16th.

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Domestic Violence Awareness Month. Councilmember Schueler said a resource for the University of Oklahoma (OU) community is OU Advocates, which is not just for domestic violence, but includes sexual assault, gender base violence, stalking, etc. She said if any faculty or student is experiencing these issues please contact OU Advocates (24/7) at 405-615-0013.

\*

National Night Out. Councilmember Lynn said National Night Out was supposed to take place tonight, but due to inclement weather has been rescheduled to October 25, 2021. He is looking forward to attending National Night Out.

Councilmember Hall said she is happy that National Night Out was moved because it will now be held on Monday night allowing Councilmembers to participate in neighborhood events.

Councilmember Holman said he is looking forward to being able to attend National Night Out.

## **COUNCIL ANNOUNCEMENTS, continued**

Coffee with a Councilmember. Councilmember Hall said tomorrow at 10:00 a.m. she will be at Gray Owl Coffee on Gray Street for anyone interested in having coffee and conversation. She said Gray Owl Coffee is offering their facility to any Councilmember that would like to have coffee and conversation with their constituents.

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Movie Night in the Park. Councilmember Hall said the movie in Lions Park on October 15th will be Hocus Pocus and starts at 7:00 p.m.

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E-Waste Event. Councilmember Hall said on Saturday, October 23rd from 9:00 a.m. to noon, the City will host an E-Waste Event at Reaves Park. She said Norman is a community that takes recycling seriously so she knows this event will be heavily attended and appreciates City Staff making this available.

\*

National Fitness Court. Councilmember Hall said Friday, October 15th, the City will launch the first National Fitness Court at Francis Cate Park. She said this brings an innovative outdoor body weight circuit training center with a supporting mobile app available offering free fitness training for anyone interested in fitness. She said the training is accessible to all fitness levels and encouraged citizens to check it out.

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Community Planning and Transportation Committee. Councilmember Holman said the Community Planning and Transportation committee will be meeting Thursday, October 28th, at 4:00 p.m. and encouraged anyone interested in transportation or road construction issues to attend.

\*

Pilot Project for Reverse Angle Parking. Councilmember Holman said the City has a pilot project for reverse angle parking on James Garner Avenue (one block) and he is excited to get this project implemented. If the project is successful, the next location could be Main or Gray Streets because backing out on Main Street is difficult when high profile vehicles are parked next to smaller vehicles making it very difficult to see oncoming traffic.

Councilmember Peacock said this project is an interesting initiative and believes it will improve public safety, walkability, etc.

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## **COUNCIL ANNOUNCEMENTS, continued:**

Ruby Grant Park. Councilmember Peacock said there will be a couple of ribbon cuttings at Ruby Grant Park. On Monday, October 18th, at 5:30, the youth footballs fields will be open and at 6:30 p.m. the Gems sculpture will be unveiled. He encouraged everyone to visit the park and see their NORMAN FORWARD initiative at work.

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Brewtoberfest. Mayor Clark said Brewtoberfest will be held at Lazy Circle Brewery on East Main Street on October 15th.

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Homecoming. Mayor Clark said Saturday is also Homecoming at OU and encouraged everyone to attend the parade.

\*

Crop Walk. Mayor Clark said on Sunday the Crop Walk Event will take place at 1:30 p.m. at Andrews Park and Red Dirt Sunday at 2:00 p.m. at Legacy Park.

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Move with the Mayor Event. Mayor Clark reminded everyone about the last Move with the Mayor Event for 2021, which will be playing tennis at Westwood Tennis Courts on Saturday, October 23rd, 10:00 a.m.

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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 3 through Item 24 excluding Item 11 be placed on the consent docket.

Item 3 through Item 24 excluding Item 11 were placed on the Consent Docket.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

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

Voting Nay: Councilmember Ward 1 Studley

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## First Reading Ordinance

3. CONSIDERATION OF APPROVAL, REJECTION, POSTPONEMENT OR AMENDMENT OF ORDINANCE O-2122-8 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 THE EAST HALF (½) OF LOT TWENTY (20), ALL OF LOTS TWENTY-ONE (21) AND TWENTY-TWO (22), AND THE WEST 8.75 FEET OF LOT TWENTY-THREE (23), IN BLOCK FOUR (4) OF W.B. BIRCHUM'S FIRST ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (453 WEST GRAY STREET)

Ordinance O-2122-8 was adopted on First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Jim Holmes Investment, L.L.C.
2. Ordinance O-2122-8
3. 453 W Gray, a Center City Planned Unit Development, submitted July 2, 2021, and revised August 3, 2021, with Exhibit A, legal description; Exhibit B, site development plan; Exhibit C, allowable uses; and Exhibit D, examples of allowable tenant identifications signs
4. Location map
5. Planning Commission Staff Report dated September 9, 2021
6. City of Norman Predevelopment Summary PD21-21 dated June 24, 2021, from Jim Holmes Investments, L.L.C., for property located at 453 West Gray Street
7. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-9 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 ALL OF LOTS ONE (1), TWO (2) AND THREE (3) OF EAST VILLAGE, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOTS 29, 30 AND 31 OF BLOCK 1, BOYD VIEW ADDITION NO. 2, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHWEST CORNER OF LINDSEY STREET AND 12TH AVENUE S.E.)



Item 4, continued:

Ordinance O-2122-9 was adopted upon First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from East Village at 12<sup>th</sup> Avenue, L.L.C.
2. Ordinance O-2122-9
3. East Village Retail, Simple Planned Unit Development, submitted July 2, 2021, and revised August 4, 2021, with Exhibit A, legal description; Exhibit B, existing plan; and Exhibit C, allowable uses
4. Location map
5. Planning Commission Staff Report dated September 9, 2021
6. City of Norman Predevelopment Summary PD21-22 dated June 24, 2021, from East Village at 12<sup>th</sup> Avenue, L.L.C., for property located near the southeast corner of Rock Creek Road and 36<sup>th</sup> Avenue N.W.
7. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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5. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-10 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 TRACT 18 OF PECAN HEIGHTS SURVEY, BEING 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 A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3766 EAST ROBINSON STREET)

Ordinance O-2122-10 was adopted upon First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

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

Item 5, continued:

Items submitted for the record

1. Staff Report dated October 12, 2021, from Geoffrey Arce
2. Ordinance O-2122-10
3. Geoffrey Arce PUD, Planned Unit Development, submitted April 8, 2021, and revised August 30, 2021
4. Future location of single family dwelling unit approximately 100'X 80'
5. Location map
6. Planning Commission Staff Report dated September 9, 2021
7. City of Norman Predevelopment Summary PD21-28 dated August 26, 2021, no one attended
8. Protest area map dated September 8, 2021, indicating 6.93% protest within the notification area
9. Pre-Development Application, Case No. PD21-18 containing a letter of protest from Leroy Bruehl filed in the City Clerk's Office on August 3, 2021
10. Protest area map dated September 7, 2021, indicating 4.4% protest within the notification area
11. Letter of protest filed August 6, 2021, from Larry and Juanita Toothaker
12. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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6. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-12 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 SOUTHWEST QUARTER (SW/4) OF SECTION EIGHTEEN (18), TOWNSHIP NINE NORTH (T9N), RANGE TWO WEST (R2W), OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1/2 MILE SOUTH OF TECUMSEH ROAD ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE N.W. – TRAILWOODS WEST ADDITION)

Ordinance O-2122-12 was adopted on First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

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



Item 6, continued:

Items submitted for the record

1. Staff Report dated October 12, 2021, from Sweetgrass Partners, L.L.C.
2. Ordinance O-2122-12
3. Trailwoods Addition, Section 12, a Planned Unit Development, submitted August 2, 2021, and revised September 2, 2021, with Exhibit A, legal description; Exhibit B, site development plan; Exhibit C, allowable uses
4. Location map
5. Planning Commission Staff Report dated September 9, 2021
6. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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7. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONE-  
MENT OF ORDINANCE O-2122-13 UPON FIRST READING BY TITLE: AN ORDINANCE  
OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PLANNED  
UNIT DEVELOPMENT ESTABLISHED IN ORDINANCE O-0607-9, TO AMEND THE SITE  
DEVELOPMENT PLAN AND UPDATE THE AREA REGULATIONS FOR PART OF THE  
SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9)  
NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY,  
OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY  
LOCATED ONE-FOURTH MILE WEST OF 36TH AVENUE S.E. AND ONE-FOURTH MILE  
NORTH OF EAST LINDSEY STREET)

Ordinance O-2122-13 was adopted upon First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Skyridge Homes
2. Ordinance O-2122-13
3. Siena Spring, a Planned Unit Development, dated June 29, 2006, with Exhibit A, site development plan; Exhibit B, topography map; Exhibit C, Stormwater Prevention Plan; Exhibit D, preliminary plat; Exhibit E, base line results; and Exhibit F, open space exhibit
5. Location map
6. Planning Commission Staff Report dated September 9, 2021
7. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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8. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-14 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 SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-NINE (29), 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 SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST OF REED AVENUE AND APPROXIMATELY 717 FEET SOUTH OF EAST MAIN STREET)

Ordinance O-2122-14 was adopted on First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Food and Shelter, Inc.
2. Ordinance O-2122-14
3. Food and Shelter, Phase 2, a Simple Planned Unit Development, submitted August 2, 2021, and revised September 2, 2021, with Exhibit A, legal description; Exhibit B, site development plan; Exhibit C, permitted uses; Exhibit D, preliminary plat; Exhibit E, tree species list; and Exhibit F, Open Space Exhibit
4. Location map
6. Planning Commission Staff Report dated September 9, 2021
7. City of Norman Predevelopment Summary PD21-20 dated June 24, 2021, for Food and Shelter for property located immediately south of the existing Food and Shelter site
8. Protest area map dated September 7, 2021, indicating 6.93% protest within the notification area
9. Pre-Development Application, Case No. PD21-18 containing a letter of protest from Leroy Bruehl filed in the City Clerk's Office on August 3, 2021
10. Protest area map dated September 7, 2021, indicating 1.25% protest within the notification area
11. Letter of protest filed September 2, 2021, from Debbie Hoover
12. Letters of protest filed September 3, 2021, from Sue Sanders
13. Letter of protest filed September 3, 2021, from Ginger Barton
14. Letter of protest filed September 3, 2021, from Dara Sanders
15. Letter of protest filed September 3, 2021, from Hope Ewing
16. Petition of support containing 26 names filed July 26, 2021
17. Petition of support containing 142 names dated September 8, 2021

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9. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-7 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 22-431.2 (COMMUNICATION FACILITIES) OF ARTICLE XII OF CHAPTER 22 (ZONING ORDINANCE); TO ESTABLISH AND FURTHER DEFINE ADDITIONAL STANDARDS FOR SMALL CELL APPLICATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-2122-7 was adopted on First Reading by Title only.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Heather Poole, Assistant City Attorney
2. Ordinance O-2122-7
3. Legislatively notated copy of Ordinance O-2122-7
4. City Council Study Session minutes dated July 20, 2021

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### **Request for Payment**

10. CONSIDERATION OF A APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A REQUEST FROM THE NORMAN HOUSING AUTHORITY TO WAIVE THE PAYMENT IN LIEU OF TAXES (PILOT) IN THE AMOUNT OF \$19,402.08 FOR FISCAL YEAR ENDING (FYE) 2021.

The request to waive the Pilot payment was approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

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

Item 10, continued:

Items submitted for the record

1. Letter of request dated September 15, 2021, from Karen Canavan, Executive Director, to Mayor Clark, City of Norman
2. Computation of Payments in lieu of taxes dated June 30, 2021
3. Letter dated September 15, 2021, from Karen Canavan, Executive Director, to Nick Migliorino, Superintendent, Norman Public Schools
4. Check No. 30970 in the amount of \$19,402.08 dated September 15, 2021, to Norman Public Schools

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### **Donation**

11. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A DONATION OF A GRAYKEY DIGITAL FORENSIC TOOL AND ONE-YEAR SERVICE LICENSE VALUED AT \$25,270.50 FROM OPERATION UNDERGROUND RAILROAD TO BE USED BY THE POLICE DEPARTMENT FOR EXTRACTING INFORMATION FROM IPHONE OS (IOS) DEVICES.

The donation item was postponed until October 26, 2021, with a motion on the floor to accept moved by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 3 Lynn.

Motion to postpone made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Lisa Tullius, to Kevin Foster, Chief of Police
2. Quote No. Q-11121-1 dated September 7, 2021, from Grayshift, L.L.C., in the amount of \$25,270.50
3. Operation Underground Railroad Domestic Law Enforcement Support Mutual Agreement for the Receipt of Contributions

Participants in discussion

1. Deputy Chief Ricky Jackson

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## Certificate of Survey

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2122-3 FOR CEDAR CREEK RANCH. (LOCATED ON THE EAST SIDE OF 132ND AVENUE S.E. AND APPROXIMATELY ½ MILE SOUTH OF POST OAK ROAD)

Norman Rural Certificate of Survey COS-2122-3 was approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Ken Danner, Subdivision Development Manager, to Shawn O'Leary, Director of Public Works
2. Norman Rural Certificate of Survey COS-2122-3 for Cedar Creek Ranch
3. Location map
4. Planning Commission Staff Report dated September 9, 2021
5. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2122-5 FOR THE SPORTING CLUB AND EASEMENT E-2122-21. (GENERALLY LOCATED ON THE SOUTH SIDE OF INDIAN HILLS ROAD AND ONE-HALF MILE WEST OF 60TH AVENUE N.W.)

Norman Rural Certificate of Survey COS-2122-5 was approved and Easement E-2122-21 was approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

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

Item 13, continued:

Items submitted for the record

1. Staff Report dated October 12, 2021, from Ken Danner, Subdivision Development Manager, to Shawn O'Leary, Director of Public Works
2. Norman Rural Certificate of Survey COS-2122-5 for The Sporting Club
3. Location map
4. Easement E-2122-21 with attachment, location map
5. Planning Commission Staff Report dated September 9, 2021
6. Pertinent excerpts from Planning Commission minutes of September 9, 2021

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### **Final Plats**

14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT OF A REPLAT FOR NORMAN REGIONAL HOSPITAL (NRH) MEDICAL PARK ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND PAYMENT OF A TRAFFIC IMPACT FEE OF \$14,385.61. (LOCATED AT THE SOUTHWEST CORNER OF INTERSTATE DRIVE AND TECUMSEH ROAD.)

The Final Site Development Plan and Final Plat were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Ken Danner, Subdivision Development Manager, to Shawn O'Leary, Director of Public Works
2. Location map
3. Final plat
4. Preliminary plat
5. Final site development plan
6. Staff Report dated September 9, 2021
7. Development Committee Action dated July 12, 2021, for Norman Regional Hospital Authority, for the final plat, final site development plan, and associated public improvements for a Replat of N.R.H. Medical Park West Section 2, a PUD

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15. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR PARK HILL ADDITION, SECTION 4, A PLANNED UNIT DEVELOPMENT, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND DEFERRAL OF PAVING AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH TECUMSEH ROAD WITH A FEE IN THE AMOUNT OF \$20,882.80 FOR THE DEFERRAL OF STREET PAVING AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH TECUMSEH ROAD. (LOCATED AT THE SOUTHEAST CORNER OF 12TH AVENUE N.E. AND TECUMSEH ROAD)

The Final Site Development Plan and Final Plat were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Ken Danner, Subdivision Development Manager, to Shawn O'Leary, Director of Public Works
2. Location map
3. Final plat
4. Preliminary plat
5. Final site development plan
6. Engineer's estimate dated September 29, 2021, in the amount of \$20,882.80 for the deferred construction of Tecumseh Road, Park Hill Addition, Section 4
7. Staff Report dated September 9, 2021
8. Development Committee Action dated September 28, 2021, for Storage Oklahoma, L.L.C., Park Hill Addition, Section 4, a PUD

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16. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR RED SKY RANCH, PHASE 1, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN WITH A FEE OF \$40,056.76 FOR THE DEFERRAL OF STREET PAVING AND SIDEWALK IMPROVEMENTS IN CONNECTION WITH 48<sup>TH</sup> AVENUE N.W. (GENERALLY LOCATED SOUTH OF WEST FRANKLIN ROAD ON THE WEST SIDE OF 48<sup>TH</sup> AVENUE NW)

The Final Site Development Plan and Final Plat were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Item 16, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Ken Danner, Subdivision Development Manager, to Shawn O'Leary, Director of Public Works
2. Location map
3. Final plat
4. Final site development plan
5. Preliminary plat
6. Staff Report dated September 30, 2021
7. Development Committee Action dated September 28, 2021, for McKown Family, L.L.C., Red Sky Ranch, Phase 1

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### **Contracts**

17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. ONE TO CONTRACT K-1920-124: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MACARTHUR ASSOCIATED CONSULTANTS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$15,000 FOR A REVISED CONTRACT AMOUNT OF \$302,000 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE GRAY STREET TWO-WAY 2019 BOND PROJECT.

Amendment No. One to Contract K-1920-124 was approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Paul D'Andrea, Capital Projects Engineer, to Shawn O'Leary, Director of Public Works
2. Amendment No. One to Contract K-1920-124
3. Project location map
4. Project details map

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18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2122-1: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$45,000 FOR A REVISED CONTRACT AMOUNT OF \$358,109 FOR THE FYE 2022 SIDEWALK CONCRETE PROJECTS USING FUNDS PREVIOUSLY ALLOCATED FOR SIDEWALKS AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

Change Order No. One to Contract K-2122-1 and budget transfer were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Nate McNeely, Engineering Assistant, to Shawn O'Leary, Director of Public Works
2. Change Order No. One to Contract K-2122-1

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19. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. THREE TO CONTRACT K-2021-35 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FLINTCO L.L.C., INCREASING THE CONTRACT AMOUNT BY \$102,609.21 FOR A REVISED CONTRACT AMOUNT OF \$8,890,503.84 AND ADDING 58 CALENDAR DAYS TO THE CONTRACT TO PROVIDE VARIOUS CHANGES TO PROJECT DESIGN FOR THE NORTH BASE COMPLEX PROJECT, PHASE 1.

Change Order No. Three to Contract K-2021-35 was approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Paul D'Andrea, Capital Projects Engineer, to Shawn O'Leary, Director of Public Works
2. Change Order No. 3 to Contract K-2021-35

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20. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-66: A PUBLIC TRANSIT REVOLVING FUND AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) DISTRIBUTING A MAXIMUM AMOUNT OF FUNDS IN AN AMOUNT NOT-TO-EXCEED \$134,285 IN ONE (1) BILLING PAYABLE ON OR AFTER OCTOBER 1, 2021, SUCH FUNDS TO BE USED FOR ESTABLISHING, EXPANDING, IMPROVING, AND MAINTAINING THE CITY OF NORMAN'S URBAN PUBLIC MASS TRANSPORTATION SERVICES AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Contract K-2122-66 and the budget appropriation were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Taylor Johnson, Transit and Parking Program Manager, to Shawn O'Leary, Director of Public Works
2. Contract K-2122-66

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21. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A CONTRACT K-2122-67: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DOWNEY CONTRACTING, L.L.C. FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES IN THE AMOUNT OF \$10,000 PLUS A CONSTRUCTION MANAGEMENT FEE EQUAL TO 8 PERCENT OF COST OF CONSTRUCTION FOR THE MISTY LAKE DAM REPAIR AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Contract K-21220-67 and budget appropriation were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

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

Item 21, continued:

Items submitted for the record

1. Staff Report dated October 12, 2021, from Brandon Brooks, Staff Engineer, to Shawn O'Leary, Director of Public Works
2. Contract K-2122-67
3. City of Norman General Conditions

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22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-68: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARKHILL, SMITH & COOPER, INC., IN THE AMOUNT OF \$22,500 FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE MISTY LAKE DAM REPAIR AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Contract K-2122-68 and budget appropriation were approved.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Elisabeth Muckala, Assistant City Attorney
2. Contract K-2122-68 with Attachment A, Anticipated Scope of Services
3. Project location map

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### **Resolutions**

23. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-44: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE OKLAHOMA DEPARTMENT OF TRANSPORTATION'S PROPOSED MODIFICATIONS TO POSTED SPEED LIMITS ON INTERSTATE 35 THROUGH THE CITY OF NORMAN

Resolution R-2122-44 was adopted.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Item 23, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Katherine Coffin to David Riesland, Transportation Engineer
2. Resolution R-2122-44
3. Draft agenda item to be considered by the Oklahoma Department of Transportation
4. Location map

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24. CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-46: APPROVING THE RECOMMENDED VOTING AMENDMENTS TO THE AGREEMENT CREATING THE 9-1-1- ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG).

Resolution R-2122-46 was adopted.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 12, 2021, from Brenda Hall, City Clerk
2. Resolution R-2122-46 with Attachment, Agreement creating the 9-1-1 Association of Central Oklahoma Governments with recommended amendments

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## NON-CONSENT ITEMS

25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-17 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 10-204 TO EXEMPT REGISTERED COMMUNITY RESOURCE REFRIGERATORS; ADDING ARTICLE XXXVI, COMMUNITY RESOURCE REFRIGERATORS, SECTIONS 13-3601 THROUGH 13-3606; ADDING DEFINITIONS, PERMIT REQUIREMENTS, PERMIT APPLICATION PROCEDURES, LOCATION REQUIREMENTS, SAFETY REQUIREMENTS, AND POSTING REQUIREMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance O-2122-17 was adopted upon Second Reading section by section.

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

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

Voting Nay: Councilmember Ward 3 Lynn

### Items submitted for the record

1. Staff Report dated September 28, 2021, from Anthony Purinton, Assistant City Attorney
2. Ordinance O-2122-17
3. Legislatively notated copy of Ordinance O-2122-17
4. Requirements for a Community Resource Refrigerator Permit
5. Community Resource Refrigerator Permit
6. PowerPoint presentation entitled, "Community Resource Refrigerators," by Anthony Purinton, Assistant City Attorney

### Participants in discussion

1. Mr. Anthony Purinton, Assistant City Attorney
2. Mr. Tom McFarland, Ward 5, made comments
3. Mr. Alan Hatcher, Ward 8, proponent
4. Mr. Michael Blunck, Ward 2, proponent
5. Mr. Dan Munson, Ward 6, made comments

Motion to amend Ordinance O-2122-17 to require liability insurance failed.

Motion made by Councilmember Ward 3 Lynn, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Councilmember Ward 3 Lynn

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 25, continued:

Participants in discussion

1. Mr. Anthony Purinton, Assistant City Attorney
2. Mr. Michael Blunck, Ward 2, opponent
3. Mr. Dan Munson, Ward 6, proponent

Ordinance O-2122-17 was adopted on Final Reading as a whole.

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

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

Voting Nay: Councilmember Ward 3 Lynn

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26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-20 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.

Ordinance O-2122-20 was adopted upon Second Reading section by section.

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

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

Ordinance O-2122-20 was adopted on Final Reading as a whole.

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

Item 26, continued:

Voting Yea: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, 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 28, 2021, from Kathryn Walker, City Attorney
2. Ordinance O-2122-20 with Exhibit "A", Assessment Roll and Assessment Plat

Participants in discussion

1. Ms. Kathryn Walker, City Attorney
2. Ms. Cynthia Rogers, Ward 4, made comments

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27. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2021-115: 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 SOUTH HALF OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, AND PART OF THE SOUTHEAST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE FUTURE URBAN SERVICE AREA DESIGNATION AND PLACE THE SAME IN THE CURRENT URBAN SERVICE AREA DESIGNATION. (1/2 MILE SOUTH OF CEDAR LANE ROAD ON THE EAST SIDE OF JENKINS AVENUE AND EXTENDING SOUTHEAST TO 12TH AVENUE S.E.)

Resolution R-2021-115 was not adopted.

Motion to adopt on the floor from September 14, 2021, made by Councilmember Ward 5 Tortorello, Seconded by Councilmember Ward 3 Lynn.

Voting Yea: Councilmember Ward 3 Lynn, Councilmember Ward 5 Tortorello

Voting Nay: Mayor Clark, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 4 Hall, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Item 27, continued:

Items submitted for the record

1. Staff Report dated October 12, 2021, from Lora Hoggatt, Planning Services Manager, to Jane Hudson, Director of Planning and Community Development
2. Land Use Plan Amendment Resolution R-2021-115
3. Location map
4. City of Norman Predevelopment Case PD21-14 dated April 22, 2021, for Shaz Investments, L.L.C., for property located west of 12<sup>th</sup> Avenue S.E. approximately ¾ mile south of Cedar Lane Road
5. Pertinent excerpts from Planning Commission minutes of May 13, 2021

Participants in discussion

1. Mr. Sean Rieger, attorney representing the applicant
2. Mr. Jalal Farzaneh, applicant
3. Mr. Shawn O'Leary, Director of Public Works
4. Mr. Chris Mattingly, Director of Utilities
5. Ms. Kathryn Walker, City Attorney
6. Ms. Jane Hudson, Director of Planning and Community Development
7. Mr. Kendall Dillon, Crafton and Tull, engineer representing the applicant
8. Ms. Allyson Wilson, Ward 7, protestant
9. Ms. Sonja Potts, Ward 3, protestant
10. Mr. Kevin Potts, Ward 3, protestant
11. Mr. Tim Johnson, Johnson and Associates
12. Mr. David Burget, attorney representing the Potts
13. Mr. Derek Rosendahl, HOA President for Eagle Cliff, Ward 7

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28. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-44 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 A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), IN CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND SO AS TO REMOVE A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT NORTH (T8N), RANGE TWO WEST (R2W) OF THE INDIAN MERIDIAN (I.M.), IN CLEVELAND COUNTY, OKLAHOMA, FROM THE A-1, GENERAL AGRICULTURAL DISTRICT AND PLACE THE SAME IN THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ONE-HALF MILE SOUTH OF CEDAR LANE ROAD ON THE EAST SIDE OF JENKINS AVENUE AND EXTENDING SOUTHEAST TO 12TH AVENUE S.E.)

Ordinance O-2021-44 failed due to lack of a motion.

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29. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A PRELIMINARY PLAT FOR EAGLE CLIFF WEST ADDITION FOR APPROXIMATELY 41.46 ACRES OF PROPERTY GENERALLY LOCATED ½ MILE SOUTH OF CEDAR LANE ROAD BETWEEN JENKINS AVENUE AND 12th AVENUE S.E.

The Preliminary Plat failed due to lack of a motion.

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30. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-17 A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SHAZ INVESTMENT GROUP, LLC AUTHORIZING COLLECTION OF A MONTHLY LIFT STATION FEE FROM DEVELOPED LOTS IN THE EAGLE CLIFF WEST DEVELOPMENT FOR THE OPERATION, MAINTENANCE AND REPLACEMENT OF THE EAGLE CLIFF LIFT STATION.

Contract K-2122-17 failed due to lack of a motion.

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### **MISCELLANEOUS COMMENTS**

Eagle Cliff Addition. Ms. Allyson Wilson, Ward 4, thanked Council for listening to citizen's concerns regarding this item and voting no.

Ms. Sonja Potts, Ward 3, thanked Council for voting against the Eagle Cliff Addition item. She said several Councilmembers visited the area to see the erosion and stormwater problems she and other abutting property owners are concerned about and thanked the Councilmembers for taking time to do that.

Mr. Kevin Potts, Ward 3, thanked Council as well. He knows it was not an easy decision for Council, but felt this could be an opportunity for all involved on this item to work together for the greater good of the community. He said the Potts land is extremely important to him and it is important to be able to use the land for the purpose of agriculture without worrying about stormwater runoff inhibiting his ability to farm his land. He said some of the farmland has already been lost forever due to stormwater drainage issues from existing development in Eagle Cliff.

Mr. David Burget, Ward 4, thanked Council for listening to concerns tonight about this item.

**Miscellaneous Comments, continued:**

Eagle Cliff Addition, continued. Mr. Derek Rosendahl, Ward 7, also thanked Council for their courage to say no to this item. He said he has spent over 200 hours documenting and taking pictures of the erosion problems in Eagle Cliff Addition. He appreciates Council taking these concerns seriously and doing the right thing, but is concerned that the Staff report makes it seem like there is nothing wrong, but there are legitimate problems with erosion and new development will only make a bad situation worse. He said that is something that has to change because if he and others had stopped protesting after the Planning Commission recommended denial, he is afraid Council would never have known that there are very serious issues with stormwater and would have approved the agenda items for Eagle Cliff Addition based on information in the Staff report.

Ms. Cynthia Rogers said Staff reports are usually about trying to find a way to say yes to development and she is proud that tonight the City evolved to find a way to say "should the City say yes." She said finding a reason to say yes is much easier than asking if Council "should" say yes. She agreed Staff reports are misleading and should include pros and cons of a development. She said just because Council has approved contentious items in the past does not mean they have to continue doing that.

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Electricity: Mr. Dan Munson said electricity costs are getting ready to greatly increase due to the recent winter storm and asked if the City is budgeting for that increase.

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**ADJOURNMENT**

The meeting adjourned at 11:10 p.m.

*Brenda Hall*

City Clerk



*[Signature]*

Mayor