

## CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, February 25, 2025 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 call 405-366-5424, 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

**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 11 be placed on the consent docket.

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

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF MARCH 12, 2024, MARCH 26, 2024, APRIL 9, 2024, NOVEMBER 26, 2024, DECEMBER 10, 2024, JANUARY 14, 2025, JANUARY 28, 2025, AND FEBRUARY 11, 2025.

CITY COUNCIL SPECIAL MEETING MINUTES OF JUNE 13, 2023 AND FEBRUARY 27, 2024.

CITY COUNCIL OVERSIGHT MEETING MINUTES OF AUGUST 10, 2023.

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MEETING MINUTES OF OCTOBER 3, 2024.

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF TYIREE HYATT IN THE AMOUNT OF \$75,000 TO RESOLVE HIS TORT CLAIM FILED SEPTEMBER 5, 2024.

## **Appointments**

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

## **BOARD OF APPEALS**

TERM: 02-25-25 TO 02-03-29: TYLER MCMANAMAN, WARD 2 TERM: 02-25-25 TO 02-03-29: ALEX LANPHERE, WARD 2

## PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 02-25-25 TO 02-10-28: LINDA PRICE, WARD 1 TERM: 02-25-25 TO 02-10-28: ASHLIE DURHAM, WARD 7 TERM: 02-25-25 TO 02-10-28: KYLE HURLEY, AT LARGE

## NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD

TERM: 02-25-25 TO 12-22-27: ERIK PAULSON WARD 2 TERM: 02-25-25 TO 12-22-27: ANDY RIEGER, WARD 4 TERM: 02-25-25 TO 12-22-27: LINDA PRICE, WARD 1

## SOCIAL AND VOLUNTARY SERVICES COMMISSION

TERM: 02-25-25 TO 12-09-27: ANN WAY, WARD 1 TERM: 02-25-25 TO 12-09-27: KAY CRITSER, WARD 6 TERM: 02-25-25 TO 12-09-27: FALLON BURLESON, WARD 7

## **Reports/Communications**

- 4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2025, AND DIRECTING THE FILING THEREOF.
- 5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORT FOR THE MONTH OF JANUARY 2025.

## **Final Plat**

6. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FP-2425-5 FINAL PLAT FOR LIAM'S CORNER, A REPLAT OF LOT 1, BLOCK 5, PART OF LOT 2, BLOCK 5 AND PART OF BLOCK 6, LYDICK'S FIRST ADDITION (LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST LINDSEY STREET AND SOUTH BERRY ROAD).

## Contracts

7. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-97: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE SANBORN MAP COMPANY, INC., IN AN AMOUNT NOT-TO-EXCEED \$142,550.20 TO PROVIDE DIGITAL ORTHOPHOTOGRAPHY, TOPOGRAPHIC MAPPING, AND PLANIMETRIC MAPPING FOR THE GEOGRAPHIC INFORMATION SYSTEMS DIVISION.

## Resolutions

- 8. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-88: IN THE AMOUNT OF \$18,000 AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT TO FUND PEDESTRIAN IMPROVEMENTS AT THE UNIVERSITY BOULEVARD INTERSECTION WITH WHITE STREET.
- 9. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-89: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,000 FROM THE ANIMAL CONTROL DONATION ACCOUNT TO BE USED TO PURCHASE SURGICAL EQUIPMENT FOR THE ANIMAL WELFARE CENTER VETERINARY CLINIC.
- 10. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-95: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$56,182.43 FROM THE REFUNDS / REIMBURSEMENTS MISCELLANEOUS RISK MANAGEMENT ACCOUNT FOR THE REPAIR OF CITY VEHICLES DAMAGED BY OTHER DRIVERS IN TRAFFIC COLLISIONS.

11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1451 12<sup>TH</sup> AVENUE SOUTHEAST) WITHDRAWN BY APPLICANT

## **NON-CONSENT ITEMS**

## **Second Reading Ordinance**

- 12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE SOUTHEAST)
- 13. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-567.1 ("RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS") TO CHAPTER 36 ("ZONING ORDINANCE"); AND AMENDING SECTIONS 36-521 ("RO, RESIDENCE-OFFICE DISTRICT"), 36-524 ("C-1, LOCAL COMMERCIAL DISTRICT"), 36-526 ("TC, TOURIST COMMERCIAL DISTRCT"), 36-527 ("CR, RURAL COMMERCIAL DISTRICT"), AND 36-560 ("SPECIAL USES") TO CHAPTER 36 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- 14. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF ARTICLE V, CHAPTER 16; AMENDING SECTION 16-501 TO REFLECT CHANGES TO PURPOSE; AMENDING AND ADDING DEFINITIONS TO SECTION 16-502 FOR THE PURPOSES THEREOF; AMENDING SECTION 16-503 TO ADD PROHIBITED ACTIVITIES ON MUNICIPAL PROPERTY; MOVING SECTION 16-508 TO SECTION 16-504 AND THEREBY LEAVING SECTIONS 16-505 THROUGH 16-508 AS RESERVED FOR PURPOSES OF INTERAL CODE CONSISTENCY; AND PROVIDING FOR THE SEVERABILITY THEREOF.
- 15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OR ORDINANCE O-2425-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELF-ACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE; AND PROVIDING FOR THE SEVERABILITY THEREOF.
- 16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE 2-III, DIVISION 2-III-17 DUTIES AND POWERS OF THE ANIMAL WELFARE OVERSIGHT COMMISSION.
- 17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-14 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 2-III, DIVISION 2-III-1, SECTION 2-301 OF THE CODE OF THE CITY OF NORMAN INCREASING THE NUMBER OF PERSONS FOR THE BOARD OF ADJUSTMENT FROM FIVE TO SEVEN, AMENDING CITY PLANNING COMMISSION MEMBERSHIP TO REQUIRE A PERSON FROM EACH WARD AND ONE AT-LARGE PERSON, DECREASING THE TERMS OF PERSONS ON THE BOARD OF APPEALS FROM FOUR TO THREE YEAR TERMS, AND ADDING NORMAN ELECTION COMMISSION: SEVEN PERSONS WITH THREE-YEAR TERMS; AMENDING DIVISION 2-III-6, SECTION 3-216, ADDING OVERSIGHT OVER TREE PROTECTION TO THE BOARD OF PARK COMMISSIONERS AUTHORITY; REPEALING DIVISION 2-III-9, GREENBELT COMMISSION IN ITS ENTIRETY; REPEALING DIVISION 2-III-16, TREE BOARD IN ITS ENTIRETY; AMENDING ARTICLE 10-II. SECTION 10-201. NORMAN ELECTION COMMISSION. TO CHANGE A FIVE MEMBER COMMITTEE TO SEVEN; AND AMENDING ARTICLE 36-V-4, SECTION 36-570(A)(2) TO INCREASE THE CONCURRING VOTE REQUIRED FOR THE BOARD OF ADJUSTMENT FROM THREE TO FOUR MEMBERS.

- 18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-23 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN. OKLAHOMA, AMENDING ARTICLE 4-I, SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE; AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND UPDATING LANGUAGE THROUGHOUT FOR CONSISTENCY; DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM: REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN BEINGS; AMENDING SECTION 4-301(E) REQUIRING ACCREDITATION ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS; ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS: AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS: AMENDING SECTION 503(C), CONFINEMENT OF DOGS AND CATS: ADDING SECTION 4-510, COMMUNITY CATS; AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE NUISANCES.
- 19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-20 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FIVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, URBAN GENERAL FRONTAGE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (428 BUCHANAN AVENUE)
- 20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-21 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(a)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK FOURTH ADDITION OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)

## **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 <u>Council as a whole</u> and limited to <u>three minutes or less</u>.

## **ADJOURNMENT**

## File Attachments for Item:

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

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF MARCH 12, 2024, MARCH 26, 2024, APRIL 9, 2024, NOVEMBER 26, 2024, DECEMBER 10, 2024, JANUARY 14, 2025, JANUARY 28, 2025, AND FEBRUARY 11, 2025.

CITY COUNCIL SPECIAL MEETING MINUTES OF JUNE 13, 2023 AND FEBRUARY 27, 2024.

CITY COUNCIL OVERSIGHT MEETING MINUTES OF AUGUST 10, 2023.

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MEETING MINUTES OF OCTOBER 3, 2024.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Brenda Hall, City Clerk

**PRESENTER:** Brenda Hall, City Clerk

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF THE MINUTES AS

FOLLOWS:

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF MARCH 12, 2024, MARCH 26, 2024, APRIL 9, 2024, NOVEMBER 26, 2024, DECEMBER 10, 2024, JANUARY 14, 2025, JANUARY 28, 2025, AND FEBRUARY 11, 2025.

CITY COUNCIL SPECIAL MEETING MINUTES OF JUNE 13, 2023 AND

FEBRUARY 27, 2024.

CITY COUNCIL OVERSIGHT MEETING MINUTES OF AUGUST 10, 2023.

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE

MEETING MINUTES OF OCTOBER 3, 2024.



## CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

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

Tuesday, June 13, 2023 at 5:00 PM

## MINUTES

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in the Executive Conference Room of the Municipal Building, on Tuesday, June 13, 2023, at 5:00 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 48 hours prior to the beginning of the meeting.

## **CALL TO ORDER**

Mayor Heikkila called the Meeting to Order at 5:00 p.m.

## **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Rarchar Tortorello

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

## **AGENDA ITEMS**

1. DISCUSSION REGULATING PROPOSED ORDINANCE REGULATING UNSOLICITED WRITTEN MATERIALS.

Mr. Anthony Purinton, Assistant City Attorney, provided an overview of previous discussions on unsolicited written materials. He said unsolicited materials are often thrown from the curb and end up in people's yards, which ultimately make their way to the City's storm sewer.

Mr. Purinton said Staff was asked to draft an ordinance to regulate these materials and highlighted the areas unsolicited written materials could be located as follows:

Item 2, continued:

On a porch, if one exists, nearest the front door; Securely attached to the door; Placed through a mail slot, if one exists; Between the exterior and interior front door; In a distribution box; and Personally with the owner or resident.

Mr. Purinton said this would not apply to deliveries of the United State Post Office. He said the ordinance is challenging to enforce due to the narrow opportunity to catch deliveries in the act. However, it will carry a penalty of \$50 to \$750 upon conviction.

It was the concurrence of Council to move forward with the Ordinance for Council's consideration.

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# 2. DISCUSSION REGARDING THE EMERGENCY SHELTER LEASE LOCATED AT 109 WEST GRAY STREET.

Ms. Kathryn Walker, City Attorney, said the current contract with Food and Shelter for the Emergency Shelter at 109 West Gray Street expires on June 30, 2023. Staff is looking for some direction from Council whether or not you wish to move forward with an extension of the current location since Council is also considering 718 North Porter as a potential location.

Councilmember Tortorello said the main issue he has heard from the property owners in the downtown area is the location of the shelter could be causing disruption to their businesses. Ms. Walker said the current contract only addresses activity at the shelter location. She said it would be a Council discussion to address the concerns Councilmember Tortorello raised.

Councilmember Grant asked how long it would take to get the property at 718 North Porter ready for use. City Manager Darrel Pyle said he thought it could be done in 90 days, but could not give a definite answer. Councilmember Foreman said she would like for Ms. April Doshier, Director of Food and Shelter, to tour 718 North Porter.

Council expressed concern about extending the contract for the current location an additional 90 days. Mr. Jason Olsen, Director of Parks and Recreation, was hesitant to say it could be much quicker. He said plans would need to be drawn and Staff would have to go through competitive bidding to select a contractor. Ms. Walker said since this property is not currently on the City's campus, Staff would need to go through the zoning process as well.

Item 2, continued

Councilmember Ball asked if Moore and Edmond had homeless shelters. He said they have 90% less homelessness than Norman so Norman should look at how those cities are addressing homelessness. He felt Norman was doing something wrong since our population is growing.

It was the consensus of Council to move forward with the 90 day extension, but be very clear about expectations to move forward with the 718 North Porter property in the interim.

\* \* \* \*

3. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(3) TO DISCUSS THE ACQUISITION OF REAL PROPERTY IN CONJUNCTION WITH THE JENKINS AVENUE 2019 BOND PROJECT.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The City Council adjourned into Executive Session at 5:57 p.m. Mr. Darrel Pyle, City Manager, Ms. Kathryn Walker, City Attorney, and Ms. Beth Muckala, Assistant City Attorney, were in attendance at the Executive Session.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Executive Session was adjourned out of and the Special Session was reconvened at 6:15 p.m.

The acquisition of real property in conjunction with the Jenkins Avenue 2019 Bond Project was discussed in executive session. No action was taken and no votes were cast.

\* \* \* \* \*

Item	1

ADJOURNMENI	
The meeting was adjourned at 6:17 p.m.	
ATTEST:	

Mayor

City Clerk



## CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

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

Tuesday, February 27, 2024 at 5:00 PM

## **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session in the Council Chambers of the Norman Municipal Building on the 27th day of February, 2024, at 5:00 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

## **CALL TO ORDER**

## **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montova

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

The meeting was called to order at 5:00 p.m. by Mayor Heikkila.

## **AGENDA ITEMS**

1. UPDATE AND DISCUSSION OF THE MICROTRANSIT PILOT PROGRAM.

Mr. Taylor Johnson, Transit and Parking Program Manager, provided an overview of what microtransit is and how it is used. While working with the consultant on the Go Norman Transit Plan, microtransit was discussed initially being considered for northwest and/or southeast Norman. He said in the Go Norman Transit Plan planning horizon, approximately ten years, it was identified there were greater needs, particularly with frequency, in areas already served by fixed route service. Due to cost constraints, this program was not explored any further. However, over the past couple of years, Council has been discussing the possibility of microtransit.

In the FYE 2023 \$750,000 was budgeted for the implementation of a Microtransit Program. A contract with awarded to HNTB on September 15, 2022, to study and narrow down goals for a pilot program. After a series of workshops and study sessions, request for proposals was issued on March 17, 2023, with an April 21st submission deadline. Three proposals were received and ultimately the contract was approved by Council on June 27, 2023, with River North Transit a subsidiary of VIA Transportation. The contract was not to exceed \$639,413 and the initial launch date was set for August 21, 2023.

## Item 1, continued

In Spring 2023, the University of Oklahoma (OU) was looking to begin a similar process for the SafeRide Program, which offers students free rides Thursday through Saturday from 10:00 p.m. to 3:00 a.m. Council approved a contract with OU on August 8, 2023, which expanded the service hours Thursday through Saturday; expanded the microtransit zone map; increased the number of vehicles from four to five; increased the overall costs of the program \$121,130, which would be funded by OU; and provided free rides to OU students during SafeRide hours.

As part of the initial marketing campaign, with the intent of incentivizing potential riders to download the app and try out the service, every new account has a built in promotion that provides the first six rides free of charge. The first six rides free discounted trips made up 77% of all completed trips, some of which were also eligible for the SafeRide discount. As of January 31, 2024, approximately 80% of all completed trips qualified for one or both of the previously mentioned promotions and were provided without charge to the rider. The total farebox revenue through December 31, 2023, was only \$2,218.34.

Mr. Taylor said Staff and OU have been in discussions regarding expansion of the program as a result of a survey from riders. Additional costs for expansion of the program beginning March 1, 2024, through the end of the contract period is \$51,216.77 and to lower wait times would be an additional \$102,433.54. He said the initial pilot program is scheduled to end August 21, 2024, and asked for Council's direction on next steps.

Councilmember Grant said she is supportive of the expansion and its continued funding through FYE 2025. However, she is concerned about how the City will continue to fund it. She also suggested reaching out to Moore Norman Technology Center (MNTC) to see if there would be a potential partnership.

Councilmember Holman asked how much it would cost to add a route that would go to MNTC. Mr. Taylor said without buying another bus, \$400,000 to \$500,000. Councilmember Holman asked if it would be cheaper to add the microtransit city wide or expanding Embark Plus.

Councilmembers Holman and Schueler supported the expansion and the continued service in FYE 2025. Mr. Taylor said funding is not included on the current FYE 2025 budget so his Staff would have to get with Finance to obtain funding. Councilmember Holman suggested looking at changing the rate currently being charged.

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## DISCUSSION REGARDING TIME CHANGE FOR CITY COUNCIL MEETINGS.

Ms. Brenda Hall, City Clerk, said at the request of Council, Staff changed Council's meeting time for the February 13<sup>th</sup> conference to 4:00 p.m. and the Council Regular meeting to 5:30 p.m. due to the City Council election. Afterwards, Staff heard from several members of Council interested in doing it long term. As a result, this topic was scheduled on tonight's agenda to get Council input on how they wish to move forward.

Several members of Council did not support the change since they work full time jobs and would have difficulty doing it on a permanent basis. Concerns were also raised about accessibility for the public and their ability to participate in meetings.

Council consensus was not achieved so the proposed changes will not be done. Councilmember Grant suggested discussing it again at the annual retreat.

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3. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(4) TO DISCUSS PENDING CLASS ACTION LITIGATION AGAINST 3M COMPANY AND E.I. DUPONT DE NEMOURS AND COMPANY AND OTHER DEFENDANTS INVOLVING PER AND POLYFLUOROALKYL SUBSTANCES (PFAS) CONTAMINATION IN IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION, MDL NO. 2:18-MN-2873, UNITED STATES DISTRICT COURT, DISTRICT OF SOUTH CAROLINA.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The City Council adjourned into Executive Session at 5:55 p.m. Mr. Darrel Pyle, City Manager; Ms. Kathryn Walker, City Attorney; Mr. Chris Mattingly, Director of Utilities; Mr. Nathan Madenwald, Utilities Engineer; and Ms. Shaakira Calnick, Internal Auditor, were in attendance at the Executive Session.

Motion made by Councilmember Ward 4 Grant, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The Executive Session was adjourned out of and the Special Session was reconvened at 6:21 p.m.

Pending class action litigation against 3M Company and E.I. Dupont De Nemours and Company and other defendants involving per and polyfluoroalkyl substances (PFAS) contamination in re: aqueous film-forming foams products Liability Litigation, MDL No. 2:18-MN-2873, United States District Court, District of South Carolina was discussed in Executive Session. No action was taken and no votes were cast.

Item	1.

ADJOURNMENT	
The meeting adjourned at 6:22 p.m.	
ATTEST:	

Mayor

City Clerk



# CITY OF NORMAN, OK CITY COUNCIL OVERSIGHT COMMITTEE MEETING

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

Thursday, August 10, 2023 at 4:00 PM

## **MINUTES**

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Executive Conference Room on the 10<sup>th</sup> day of August 2023, at 4:00 p.m. and notice of the agenda of the meeting was posted at the Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

## CALL TO ORDER

Chairman Lauren Schueler called the meeting to order at 4:00 pm

## **PRESENT**

Councilmember Ward 2 Lauren Schueler, (Chair) Councilmember Ward 3 Bree Montoya Councilmember Ward 7 Stephen Holman Mayor Larry Heikkila

#### **ABSENT**

Councilmember Ward 1 Austin Ball

## OTHERS PRESENT:

Councilmember Ward 4 Helen Grant

Ms. Kathryn Walker, City Attorney

Ms. Jeanne Snider, Assistant City Attorney

Ms. Jane Hudson, Planning and Community Development Director

Chief Kevin Foster, Norman Police Department

Lt. Barry Grippen, Lieutenant/Internal Affairs (Liasion)

Ms. Dannielle Reseck, Food and Shelter Representative

Ms. Lisa Webb, Admin Tech III, City Clerk

## **AGENDA ITEMS**

Chairman Schueler moved item two to the beginning of the meeting to allow time for Food and Shelter Representative to arrive.

## ITEM 2: DISCUSSION REGARDING THE CITY'S NOISE ORDINANCE

Ms. Jeanne Snider, Assistant City Attorney, presented updated information on the City of Norman Noise Ordinance, saying there have been ongoing discussions since 2016, when a business on main street and another one around the corner were providing competing outdoor entertainment, causing a dispute among them. This incident resolved itself through the application withdrawal by one of the businesses'.

In 2018, further discussions were had when Hollywood Corners expressed their desire to provide outdoor music for their business. Red Rock Canyon Grill next to Legacy Park had to get Special Planned Unit Development (SPUD) Zoning, because they were using live outdoor entertainment in a commercial, non-residential area. The Rock House, located in Center City Planned Unit Development (CCPUD), was using outdoor entertainment at their business as well.

In May of 2019, several meetings were held on the Noise Ordinance, however, COVID stopped the progress. Recently, Midway Deli brought up the desire to include outdoor music for their patrons, opening the need for further review of the Noise Ordinance.

The ordinance does not have a provision for outdoor live entertainment, but the request from many businesses to include this service makes it important to establish rules, processes and penalties in the ordinance to address all kinds of land use and possible conflicts with commercial abutting residential.

Ms. Snider said the noise level decibel must be determined for the business and if it abuts residential districts, the noise decibel cannot surpass the residential level. There are many methods to monitor noise levels, through commercial programs and equipment or with applications on personal phones. Mayor Larry Heikkila, a former safety manager for the City of Norman, said the length of time, (how long the noise persists), not the decibel level, is a major factor when it comes to measuring noise levels.

Councilmember Grant asked what app people are using to measure noise levels. Mayor Heikkila said the National Institute for Occupational Safety and Health, (NIOSH) Sound Level Meter App, is a free app created to empower people to test noise levels in their workplace in order to make informed decisions about their noise exposure to help prevent occupational hearing loss.

Councilmember Holman said that a storefront for Buchanan's Bikes was built in front of a very old house, with multiple apartments. One of the tenants in that house constantly complained about the new bar, which opened next door. The bar had installed outdoor speakers and the music was playing very loud past 11 pm.

In 2017, the City of Norman, purchased a new Sound Pro 3M noise meter device, in addition to their existing sound devices. The police department has had meters calibrated, tested them and found they are within a decibel of each other, allowing the test results to be brought up in court if necessary.

## ITEM 2: (continued) DISCUSSION REGARDING THE CITY'S NOISE ORDINANCE

Ms. Snider said enforcement is close to impossible due to limited resources, prioritizing calls for service and other factors. Noise complaint calls have been received for construction starting before or continuing after the approved time to work and residential and commercial loud music, but these calls will never reach emergent level when other calls have a higher priority. An Ordinance is only effective if it is enforceable.

JMs. Snider met with Dr. Kavanaugh, the new OU Student Conduct Director, last week to discuss ways to control loud noise generated by students and their activities, as a lot of noise complaints are regarding OU students, disturbing not only the community, but neighbor to neighbor complaints in apartments where the students make excessive noise disturbing the peace of fellow dwellers.

One of the new things OU has implemented is a campus/community platform for reporting complaints about anything to do with OU students, not just fraternities, and OU staff monitor the complaints daily.

The City of Norman has a "Disturb the PEACE Mediation Program" in place that allows individuals to voluntarily resolve disputes in a confidential, out-of-court procedure, using a neutral third party. Mediation seeks to prevent conflicts from escalating, saving everyone involved, the time and expense of going to court and can help parties get past their anger, frustration, guilt or "desire to punish" while creating an atmosphere of on-going cooperation and efficiency. A lot of neighbor to neighbor conflicts are resolved through the mediation program without any criminal proceedings.

Ms. Snider said she reviewed Noise Ordinance programs for Tuscaloosa, Stillwater, Austin, New Orleans, Nashville, Memphis, and Detroit and found they include topics like decibel limits, hours of operations, sound abatement plans, orientation and design of sound equipment, distance from residential uses or districts, outdoor space size, clearly delineated enforcement measures. The Oklahoma City Zoo program was also explored to determine how they handle and monitor their outdoor noise.

Ms. Snider said noise permit holders are required to have their own device to measure decibel levels and must calibrate the device on an approved schedule. Mayor Heikkila said the noise meters have to be put in a location that measures over a specified period of time.

Councilmember Holman said he likes the noise ordinance in Austin, Texas and would like to see Norman move forward with that type of framework. Ms. Snider said businesses need to know of the noise requirements up front and Norman needs to define meter parameters as part of the process. Noise variance permits are available for special events, with permits being limited to seven per year.

Councilmember Grant said she likes the "Good Neighbor Plan" and Norman needs a sound tailored made plan, that can be modified. She said we need to get more information on the decibel meters based on industry response for sound.

Chairman Schueler agrees, noise permit requirements need to be standardized by type of business so the applicant knows up front what is needed. She also agrees staff needs to gather more information on Austin's plan, permit process and bring it back to the Oversight Committee for review before sending on to full council.

## ITEM 1: EMERGENCY SHELTER UPDATE

Ms. Danielle Reseck, Shelter Daily Supervisor, presented the July 2023 warming shelter report in the absence of Ms. April Dosier.

The focus for the month of July was preparing full assessments with the guests and helping them connect to resources such as Veterans Administration, SNAP, (Supplemental Nutrition Assistance Program) and Sooner Care. Case managers conduct housing assessments and work with guests weekly to obtain permanent housing. Housing resources such as emergency housing vouchers, Tenant Based Rental Assistance (TBRA) and Rapid Rehousing resources have closed so it has become more of a challenge housing guests at this time.

The shelter has a total capacity of 52, with 14 bunks for females and 26 for males, with overflow floor spots for eight females and four males.

120 guests in July 2023 - (72 males and 48 females, Nine Veterans)
Most of the female guests were elderly, with more than half being disabled.
85% to 90% have mental issues
Less than 50% have physical disabilities
Five to ten per day, but not less than three, are turned away
Two guests have moved to permanent housing

Councilmember Holman said he is noticing an increase in elderly in the overnight shelter. Ms. Reseck said they are working to get elderly into assisted living, but the requirement for Sooner Care benefits causes a delay for them and the lack of funds for vouchers is another major barrier to getting permanent housing for others.

Chairman Schueler said she understands more services are needed to meet the demand. She also asked what time the guests are required to be inside? Ms. Reseck said the shelter is allowing guests to reserve a spot, but they have to check in by 6 pm or staff move to wait list to fill the spot. Guests are allowed to come and go from four to ten pm, but must be inside from 10:00 pm to 6:30 am.

Ms. Reseck says they have a "No Disturbance" policy in their Code of Conduct, but people are rarely asked to leave for conduct violations, either verbal or violent.

Councilmember Holman asked where the people would go if this shelter did not exist, to which Ms. Reseck said outside on the street. Councilmember Grant asked what other agencies are helping. Ms. Reseck said Cara-A-Vans comes daily, the Veterans Administration is not currently helping, but is greatly needed, and staff is building a partnership with HUB 107.

Councilmember Grant said the center on Gray is not used during the day and Chairman Schueler asked where the people are going at 6:30 am. Ms. Reseck said most go to Food and Shelter, the Women's Sanctuary, HUB 107, the Library, or somewhere else of their choosing.

Chairman Schueler asked what type of situations required calls for service. Ms. Reseck said in the month of July, the police were called for one mental health issue, no behavioral issues and any 911 calls were made for medical emergencies.

## ITEM 1: (continued) EMERGENCY SHELTER UPDATE

Chairman Schueler asked if sex offenders are allowed to stay in the overnight shelter. Ms. Reseck said sex offenders, alcohol and drug use are not allowed on the property and guests cannot be under the influence while checked in to the shelter.

Councilmember Montoya asked how families are served, to which Ms. Reseck said the Salvation Army is a partner for wait list, but the need for family shelter is not increasing and that could be because they are not sent to A Friends House for assistance.

ADJOURNMENT	
The meeting was adjourned at 5:00 p.m.	
ATTEST:	
Mayor	City Clerk



## CITY OF NORMAN, OK CITY COUNCIL BUSINESS & COMMUNITY AFFAIRS COMMITTEE MEETING

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

Thursday, October 03, 2024 at 4:00 PM

## **MINUTES**

The City Council Business & Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Executive Conference Room on the 3<sup>rd</sup> day of October ,2024 at 4:00 p.m. and notice of the agenda of the meeting were posted at the Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

## **CALL TO ORDER**

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

### PRESENT:

Councilmember Ward 2 Matthew Peacock – Chair Councilmember Ward 4 Helen Grant Councilmember Ward 5 Michael Nash

## OTHER PRESENT:

Mayor Larry Heikkila

Councilmember Ward 3 Bree Montoya

Councilmember Ward 6 Joshua Hinkle

Councilmember Ward 8 Scott Dixon

Mr. Darrel Pyle, City Manager

Ms. Shannon Stevenson, Assistant City Manager

Mr. Jason Olsen, Director Parks and Recreation

Ms. Brenda Hall, City Clerk

Mr. Chris Mattingly, Director of Utilities

Ms. Jane Hudson, Director of Planning and Development

Mr. Scott Sturtz, Interim Director of Public Works

Ms. Shaakira Calnick, Internal Auditor

Mr. Rick Knighton, Interim City Attorney

Dr. Joyce Green, GIS Services Manager

Ms. Sandra Simeroth. Administrative Technician IV

Mr. Trent Brown, Director of Norman Sports

Ms. Kathryn Walker, Center for Economic Development Law

Mr. Scott Martin, Norman Chamber President

### **AGENDA ITEMS**

## 1. REPORT ON SPECIAL EVENTS ATTENDANCE AND VISITORS.

Mr. Jason Olsen, Director of Parks and Recreation, said the City has Game Day Highlights showing approximately 200,000 people are visiting the City on average. He said not all are at the game, but here in the City at local establishments or shopping, or just hanging out around campus. The numbers at kick-off during football games spike to 150,000 and start to trend down at the end of the game. The Tulane game has had the most out of town visitors so far in Norman. Staff will have numbers for Council next month on length of stay for the visitors and how much money they spent.

The percentage of people going to the game from Norman is around 20% and 80% from other parts of Oklahoma. Texas visitors are between nine and 23%. Campus Corner is around 30,000 to 40,000 between 2017- and 2019. Then 2020 Covid happened and the numbers went down to around 20,000 and by 2023-2024 they went back up to 40,000 to 60,000. Downtown numbers for the same time frame averaging 10,000 then spiking during big games and parents weekends in 2023 and 2024 to around 20,000.

Councilmember Hinkle asked if staff can get numbers from the surrounding areas during game day what their numbers are including Oklahoma City.

Mr. Jason Olsen said Oklahoma City's market is so much bigger than the rest, it would be hard to know what was from the game days or just other activities happening around the City.

Mr. Darrel Pyle, City Manager, said he has talked with Moore officials and during game day weekends, the Hotels are full and have zero capacity for anyone else. I think their numbers would be similar to Normans just on a smaller scale.

Mr. Trent Brown, Director of Norman Sports, said the average Hotel rate has almost doubled and the average stay has gone from 1.7 days to 2.1 days. Hotel average stay value is up two to three times more from last year with the SEC games and the numbers are amazing throughout the community of Norman. Event at YFAC in August, Mid America Youth Basketball (MAYB) tournament was a three-day tournament that brought in over 150 teams and the economic impact was over \$877,000 dollars in direct sales, also United Flag Football League (UFFL) two-day tournament had 32 teams and brought in just over \$100,000 in direct sales.

Chairman Peacock said Council appreciates these reports and it is exciting to see the progress and the interest in Norman being brought here today and in the future.

## Agenda Item 2

2. DISCUSSION REGARDING CREATION OF A TAX INCREMENT FINANCE (TIF) MASTER PLAN.

Mr. Darrel Pyle, City Manager, introduced Ms. Kathryn Walker with Center for Economic Development Law for TIF Master Plan presentation. One of the areas that Council has been interested in is Griffin Hospital land. Staff had a Zoom meeting today with Carrie Carman with the Office of Management and Enterprise Services (OMES) and asked her what would be the

application for making this part of a TIF plan and she stated that OMES would not have any issues.

Ms. Walker said I know this was a suggestion a couple years ago by Councilmembers who noticed the City has some stagnant economic growth areas in town. There are opportunities with undeveloped land where a TIF may help develop it in a way that meets the goals and needs of the City. The Local Development Act (LDA) was enacted as a statutory method by which cities can undertake development projects contemplated by Article 10 Section 6C of the Oklahoma Constitution. The purpose of this section is to promote planning, financing, and development in areas determined to be unproductive, undeveloped or blighted.

Ms. Walker said There are three areas with automatic eligibility, Historic Preservation, Reinvestment and Enterprise areas. The Enterprise area is the most common across the state. Reinvestment area is any area requiring public improvement to reverse economic stagnation or decline and 50% or more of the structures in the area are 35 years or older. Historic Preservation Areas are geographic areas listed in the state Historic Preservation Office to the National Register of Historic Places and must meet Secretary of the Interior's Standards for Rehabilitation Eligibility. The Enterprise area is within a designate State or Federal Enterprise Zone.

Oklahoma Enterprise Zone Act assessment are designated annually on July 1st and consist of population of persons equal to or greater than 30% of the total population household income for which it is equal to or less than the poverty level. There are also Priority Enterprise Zones that are eligible for additional resources or programs. Legislative guidelines state where investment, development and economic growth is difficult, do not include areas where investment and development growth would have occurred anyway. The use of LDA is to supplement and not supplant or replace public functions and services, and in conjunction with existing programs and efforts where possible, not delineate boundaries that dissect a similar area. The LDA emphasizes conservation, preservation and rehabilitation and to minimize demolition clearance and relocation where it is possible. Courts are giving cities a lot of discretion because they recognize it is a community decision.

Project costs can really determine how TIF's are formed with needs in the infrastructure, acquisition of land and the construction of public facilities. Council needs to consider the financing costs, real property assembly costs, professional services, outside legal, Financial Bond Advisor cost and the cost for the maintenance, management, and marketing of other services if you have an active Main Street program.

Councilmember Grant asked if the city could have overlapping TIF areas.

Ms. Walker said you cannot overlap Increment Districts, but you could overlap The Project Area's so you can draw the project area a little broader to encompass all of Main Street or stop it at the tracks, it does not mean the Main street program stops at the tracks but the things that were TIF founded would be covered.

Councilmember Grant, ask about Historic Tax credits.

Ms. Walker said if you meet the criteria of Historic Tax Credits you can get those regardless of what designation you have.

Chairperson Peacock said you have to be on The Register of the Historic Places to receive tax credits.

Ms. Walker said the "Practical Considerations" are the City of Norman will have to make enough new revenue to cover the project cost. Maximum benefit is on undeveloped property and that is also a good way to get more increment revenue. There are other options to consider in those situations, if Council wanted to do improved or enhanced amenities within a district; Business Improvement District is a great option for downtown if there is interest and it could be done in conjunction with the Main Street program. Possibility to develop a general obligation bond package. Employment recruitment can connect with employers with the Department of Commerce for Quality Jobs incentives

Mr. Pyle asked if Council wanted to extend the Center City TIF or start a new one starting at the railroad tracks on Main Street going east. Staff believes there is more value with a new TIF and the revenue could support a future sales tax, there are currently properties that are tax exempt that we anticipate being under private ownership in the next year and vertical construction taking place. The Vista building is currently tax exempt and will be up for sale when the new Sheriff's headquarters is built, giving the City a new accessed value will be a nice start to 25 year block. Staff has talked about capturing both sides of Gray Street, but Council may have other ideas of how far north you want the boundary line.

Chairman Peacock felt it should be carved up a bit so as not to have a bunch of projects going at one time.

Ms. Walker said you can have a broad project area and then individual increment districts for multiple projects.

Councilmember Grant, said she would like to include east of the tracks on Main Street and then off Finley Street down to Alameda Avenue. back to Robinson Street.

Mr. Pyle said the Council could include Robinson Street East past Porter Avenue to 12<sup>th</sup> Avenue and to Griffin, then asked how far West would you want to go.

Dr. Green said all the areas mentioned thus far are all in an Enterprise Zone and qualify for the TIF funding.

Chairman Peacock asked if there is such a thing as to big of an area, does Council need to define it more. The area looks like it is twice the size of the Center City

Ms. Walker said it depends on the time you think it would take to do the projects, you have to trigger the increment districts in so much time and then that starts your 25 year block.

Mr. Pyle said staff will save what we have outlined today and go over it more in-depth along with the Center for Economic Development Law attorneys and work on this and bring back some opportunities and possible list of infrastructure from our Utilities Department.

Item 2, continued

Councilmember Hinkle said he would like to include the area from Classen Boulevard. to SE 24<sup>th</sup> Avenue. and then from Lindsey to Cedar Lane hoping to capture the Colonial Estate Shopping Center just off of Lindsey and down around to the Perfect Swing area.

Ms. Walker we are going to have to check into this area due to all the residential properties there but we will see if we can include this area. Staff will get with Department of Commerce and see what is allowed exactly and bring it back to the next meeting.

Chairman Peacock said he would like to see I-35 down Lindsey Street included.

Ms. Walker said that area does not qualify but maybe some kind of grant for Business Improvement Districts would work.

Chairman Peacock asked about Flood Avenue from Robinson to Acres area would like to see business owners to get some kind of incentives to improve their store fronts.

Ms. Walker said she thinks the answer is to have a larger Project Area with Multiple Increment Districts just because there are not a lot of opportunities to generate a lot of increment in some of these areas.

Councilmember Grant asked if staff is talking about mostly property tax Ad Valorem.

Ms. Walker said there may be areas where sales tax is appropriate but most of it would be property tax.

Mr. Darrel Pyle said with this polygon tool we can assess property values we can look at Aerials and identify vacant land and data analytics just by knowing your polygon preferences. Our partners at The Center for Economic Development Law have the ability to develop project plans for each of those areas.

Councilmember Grant would like for residents to be able to have more input in what gets developed first.

#### ADJOURNMENT

The meeting was adjourned at 5:08 p.m.		
ATTEST:		
City Clerk	Mayor	





## CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, March 12, 2024, at 6:30 PM

## **MINUTES**

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

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, March 12, 2024, at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

## **CALL TO ORDER**

Mayor Heikkila called the meeting to order.

## **ROLL CALL**

**PRESENT** 

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

## PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Heikkila.

Item 1.

CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/ORDONEMENT OF PROCLAMATION P-2324-26: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MARCH 18, 2024, AS PUBLIC TRANSIT PROFESSIONAL APPRECIATION DAY IN THE CITY OF NORMAN.

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

## Participants in discussion

1. Mr. Taylor Johnson, Transit and Parking Services Manager, thanked the Council, recognized Staff, and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

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#### COUNCIL ANNOUNCEMENTS

## **Strongest Town Competition**

Councilmember Peacock reminded everyone this is the second week of the Strongest Town competition and Norman is up against Davis, California, and encouraged everyone to go vote for Norman.

\*

## Norman Natives

Councilmember Holman congratulated Norman natives Christopher Bell on his recent Nascar win and AJ Harvey who is a contestant on The Voice competition and wished them well.

\*

#### **Events**

Councilmember Holman discussed the recent Community Planning and Transportation Committee meeting where collisions on Highway 9 were discussed. He said the Committee has asked the Oklahoma Department of Transportation for suggestions.

Councilmember Foreman announced spring cleanup day for Ward 6 as April 27th.

Councilmember Montoya announced a Ward 3 Town Hall meeting for April 21st at 3:00 p.m. at the Westside Library.

Councilmember Montoya announced spring cleanup day for Ward 3 as April 6th.

Councilmember Schueler announced spring cleanup day for Ward 2 as April 13th.

## Council Announcement, continued

## Events, continued

Councilmember Ball announced spring cleanup day for Friday pickup customers as May 4th.

## Marrae Quinn

Councilmember Holman paid condolences to the late Marrae Quinn who was a long time Norman Public Schools educator and the wife of former Councilmember Quinn. He said she is the reason he got in to local government.

## Ceasefire Resolution

Councilmember Grant said she has been in conversations with Ward 4 residents and downtown businesses who would like to see Norman issue a ceasefire resolution for the conflict in Gaza.

\*\*\*\*

#### 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 2 through Item 18 be placed on the consent docket.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

## Items 2 through 18 were placed on the Consent Docket.

\*\*\*\*

Motion made by Councilmember Ward 7 Holman to allow Councilmember Schueler to abstain from Item 18, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Abstain: Councilmember Ward 2 Schueler

Councilmember Schueler was allowed to abstain from Item 18.

## **APPROVAL OF MINUTES**

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

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF NOVEMBER .30, 2023

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The minutes were approved.

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## First Reading Ordinance

3. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-39 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-514 (R-1, SINGLE FAMILY DWELLING DISTRICT), 36-515 (R-1-A, SINGLE-FAMILY ATTACHED DWELLING DISTRICT), 36-516 (R-2, TWO-FAMILY DWELLING DISTRICT), 36-519 (RM-6, MEDIUM DENSITY APARTMENT DISTRICT), 36-520 (R-3, MULTIFAMILY DWELLING DISTRICT), AND SECTION 36-521 (RO, RESIDENCE-OFFICE DISTRICT) OF ARTICLE 36-V OF CHAPTER 36 ("ZONING"), TO REMOVE THE BUILDING COVERAGE MAXIMUM; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-39 was adopted on First Reading by title.

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-40 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA. AMENDING CHAPTER 36 ("ZONING"), SECTIONS 36-101 ("DEFINITIONS"), 36-511 GENERAL AGRICULTURAL DISTRICT"), 36-512 ("A-2. AGRICULTURAL DISTRICT"), 36-513 ("RE, RESIDENTIAL ESTATE DWELLING DISTRICT"), 36-514 ("R-1, SINGLE-FAMILY DWELLING DISTRICT") AND 36-570 ("BOARD OF ADJUSTMENT") IN ORDER TO DEFINE AND CREATE USES FOR ACCESSORY DWELLING UNITS, AND OTHER ZONING AMENDMENTS FOR THE PURPOSES OF COMPATABILITY THEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-40 was adopted on First Reading by title.

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5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-27 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE NORTHEAST CORNER OF INDIAN HILLS ROAD AND 48<sup>TH</sup> AVENUE N.W.)

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-27 was adopted on First Reading by title.

## **Reports/Communications**

6. SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the City Manager's Contract and Change Order Report was acknowledged.

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## <u>Bids</u>

7. CONSIDERATION OF AWARDING, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF <u>BID-2324-39</u> SUBMITTED BY RCC TRAFFIC, L.L.C., FOR INSTALLED PAVEMENT MARKINGS FOR THE TRAFFIC CONTROL DIVISION AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The bids were accepted and awarded to RCC Traffic, L.L.C.

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## Request for Payment

8. CONSIDERATION OF ADOPTION, REJECTION, ADMENDMENT, AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2324-3: SUBMITTED BY CINDY BARBADILLO TRINIDAD IN THE AGREED SETTLEMENT AMOUNT OF \$14,000 FOR DAMAGE TO HER VEHICLE, MEDICAL EXPENSES, AND PAIN AND SUFFERING AS A RESULT OF AN ACCIDENT WITH A CITY UTILITIES VEHICLE AT CLASSEN BOULEVARD AND LOIS STREET.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Special Claim SC-2324-3 was approved.

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## Final Plat

 CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A SITE PLAN AND FINAL PLAT <u>FP-2324-9</u> FOR SIMPLE STORAGE ADDITION (GENERALLY LOCATED 220 FEET NORTH OF IMHOFF ROAD ON THE EAST SIDE OF 24<sup>TH</sup> AVENUE SE).

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The site development plan and final plat for Simple Storage Addition was approved.

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### Surplus/Obsolete Items

10. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The declaration of surplus and/or obsolete was approved and the sale thereof was authorized.

## **Acceptance of Grant**

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF SUBMISSION OF THE CERTIFIED LOCAL GOVERNMENTS (CLG) PROGRAM 2024-2025 APPLICATION FOR FUNDING IN THE AMOUNT OF \$18,375 TO BE SUBMITTED TO THE OKLAHOMA STATE HISTORIC PRESERVATION OFFICE.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The submission of the Certified Local Governments Grant application was approved.

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## **Contracts**

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-1920-91: BY AND BETWEEN THE CITY OF NORMAN AND FREESE AND NICHOLS, FOR THE DESIGN OF THE JENKINS AVENUE WIDENING PROJECT — IMHOFF ROAD TO LINDSEY STREET IN THE AMOUNT OF \$152,345 FOR THE 2019 BOND PROJECT.

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

Participants in discussion

1. Mr. Scott Sturtz, Interim Director of Public Works

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. One to Contract K-1920-91 was approved.

13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMEN AND/OR POSTPONEMENT OF CONTRACT K-2324-125: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HAPPY PLAYGROUNDS, LLC, IN THE AMOUNT OF \$220,000, MAINTENANCE BOND MB-2324-48, PERFORMANCE BOND B-2324-48; AND STATUTORY BOND B-2324-49 FOR THE SUNRISE PARK PLAYGROUND PROJECT, AND RESOLUTION R-2324-107 GRANTING TAX EXEMPT STATUS.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-125 was approved.

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14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HAPPY PLAYGROUNDS, LLC, IN THE AMOUNT OF \$135,000, MAINTENANCE BOND MB-2324-49, PERFORMANCE BOND B-2324-50; AND STATUTORY BOND B-2324-51 FOR THE FALLS LAKEVIEW PARK PLAYGROUND PROJECT, AND RESOLUTION R-2324-108 GRANTING TAX EXEMPT STATUS.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-126 was approved.

15. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-140: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, NORMAN MUNCIPAL AUTHORITY, AND NORMAN UTILITIES AUTHORITY AND OLSSON ENGINEERING FOR ON-CALL CONSTRUCTION TESTING SERVICES.

# Acting as the City of Norman, the Norman Utilities Authority and the Norman Municipal Authority

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 2 Schueler, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-136 was approved.

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16. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$6,500 FROM THE BEST FRIENDS ANIMAL SOCIETY TO BE USED BY THE ANIMAL WELFARE DIVISION OF THE POLICE DEPARTMENT TO PROVIDE SPAY AND NEUTER SERVICES TO NORMAN RESIDENTS WHO MEET LOW-INCOME GUIDELINES; APPROVAL OF CONTRACT <a href="K-2324-150">K-2324-150</a>; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-150 and budget appropriation were approved.

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17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A MEMORANDUM OF UNDERSTANDING, CONTRACT <u>K-2324-158</u>, BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EIGHTTWENTY, LLC, TO ESTABLISH A CITYWIDE SOLAR PHOTOVOLTAIC GROUP PURCHASING PROGRAM, THE NORMAN SOLAR INITIATIVE.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-158 was approved.

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## Resolutions

18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2324-132: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AUTHORIZING GRANT APPLICATION FOR THE POLITICAL SUBDIVISIONS OPIOID ABATEMENT GRANT FROM THE OKLAHOMA OPIOID ABATEMENT BOARD IN THE AMOUNT OF \$190,000 TO FUND A PARTNERSHIP WITH THE VIRTUE CENTER TO IMPLEMENT A FREE EDUCATION AND AWARENESS PROGRAM, EXPANDING OUTPATIENT TREATMENT SERVICES FOR ADOLESCENTS AND ADULTS ADDICTED TO OPIATES, AND PROVIDING TRAINING FOR THERAPISTS IN EVIDENCE-BASED TREATMENT MODALITIES.

Motion made by Councilmember Ward 7 Holman to allow Councilmember Schueler to abstain from Item 18, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Abstain: Councilmember Ward 2 Schueler

Resolution R-2324-132 was adopted.

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Motion made by Councilmember Ward 8 Peacock to allow Councilmember Foreman to abstain from Items 19-21, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Abstain: Councilmember Ward 6 Foreman

Councilmember Foreman was allowed to abstain from Items 19-21.

#### **NON-CONSENT ITEMS**

19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-104: 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 NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (1720 NORTH PORTER AVENUE)

Motion made by Councilmember Ward 1 Ball, Seconded by Councilmember Ward 7 Holman.

Participants in discussion

- 1. Mr. Anthony Blatt, ADG Blatt
- 2. Ms. Kathryn Walker, City Attorney
- 3. Mr. Scott Sturtz, Interim Director of Public Works
- 4. Ms. Jane Hudson, Director of Planning and Community Development
- 5. Mr. Stephen Ellis, Ward 4, made comments
- 6. Mr. Evan Dunn, Ward 7, made comments

Motion made by Councilmember Ward 8 Peacock to postpone Items 19-21 to March 26, 2024, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 1 Ball

Abstain: Councilmember Ward 6 Foreman

Items 19-21 were postponed to March 26, 2024.

20. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2324-38 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT, AND PLACE THE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF (1720 NORTH PORTER AVENUE).

Motion made by Councilmember Ward 8 Peacock to postpone Items 19-21 to March 26, 2024, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 1 Ball

Abstain: Councilmember Ward 6 Foreman

Item 20 was postponed to March 26, 2024.

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21. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF <a href="PP-2324-13">PP-2324-13</a> PRELIMINARY PLAT FOR VCN DEVELOPMENT ADDITION, A SIMPLE PLANNED UNIT DEVELOPMENT (GENERALLY LOCATED APPROXIMATELY ONE-HALF MILE NORTH OF ROBINSON STREET ON THE WEST SIDE OF PORTER AVENUE.)

Motion made by Councilmember Ward 8 Peacock to postpone Items 19-21 to March 26, 2024, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 1 Ball

Abstain: Councilmember Ward 6 Foreman

Item 21 was postponed to March 26, 2024.

22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-45 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 20-XXX SPECIAL EVENTS OF THE CODE OF THE CITY OF NORMAN TO INCLUDE A FILM OR TELEVISION PRODUCTION EVENT AS A TYPE OF SPECIAL EVENT; ESTABLISH A FILM PERMIT AND ASSOCIATED FEE FOR THE FILM OR TELEVISION PRODUCTION SPECIAL EVENT; ALLOW COMPLETE STREET CLOSURES, FOR LIMITED DURATIONS, FOR FILM OR TELEVISION PRODUCTION EVENTS; MAKE CORRECTIONS TO GRAMMAR, SECTION REFERENCES, AND FORMATTING; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 7 Holman.

Participants in discussion

- 1. Ms. AshLynn Wilkerson, Assistant City Attorney
- 2. Mr. Stephen Ellis, Ward 4, proponent
- 3. Mr. Evan Dunn, Ward 7, made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-45 was adopted on Second Reading section by section.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-45 was adopted on Final Reading.

## **Preliminary Plats**

23. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF <a href="PP-2324-14">PP-2324-14</a> PRELIMINARY PLAT FOR HALLBROOKE ADDITION, (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF EAST ROCK CREEK ROAD AND 24<sup>TH</sup> AVENUE NE)

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

## Participants in discussion

- 1. Mr. Chris Anderson, SMC Consulting Engineers, engineer representing the applicant
- 2. Mr. Scott Sturtz, Interim Director of Public Works

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The preliminary plat for Hallbrooke Addition was approved.

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#### MISCELLANEOUS COMMENTS

#### Visibility Fair

Ms. Cynthia Rogers, Ward 4, said she attended the Visibility Fair held at The Well today. She said there are many resources available for our citizens. She said the one things that came up in talking with others was the inaccessibility of City Hall, especially the bathrooms. She urged Council to address it.

## Homelessness/Affordable Housing

Mr. Stephen Ellis, Ward 4, said he had the opportunity to sit down with a Major at the Norman Police Department and have a discussion about the unhoused people in Norman. He said while they disagreed on several things, they did agree about the pressing need to provide more housing in Norman. Mr. Ellis felt there was a serious lack of resources in Norman for unhoused people.

Mr. Paul Wilson, Ward 1, said based on the median income in Norman, a single person can only afford \$700 per month for housing costs. He said there are not many places in Norman, whether you rent or buy housing, in that price range. He said if persons can not find affordable housing, they are on the brink of becoming homeless.

\*

## Rock Creek Entertainment District

Mr. Stephen Eilis, Ward 4, said the Rock Creek Entertainment District is still being discussed and the University is still asking for taxpayer dollars. He said the public discussion/vote could come before Council as early as May, but would more likely be July.

\*

## Power of Posture

Mr. Evan Dunn, Ward 7, said he taught two classes last month on the Power of Posture at The Well and will be teaching two more classes this month. He encouraged citizens to participate.

\*

## Oklahoma Gas and Electric (OGE) Franchise Election

Mr. Paul Arcaroli, Ward 3, referenced the recent OGE franchise election and said he was happy with the outcome.

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ADJOURNMENT The meeting adjourned at 7:49 p.m.	
ATTEST:	
City Clerk	Mayor





# CITY OF NORMAN, OLCITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, March 26, 2024, at 6:30 PM

## **MINUTES**

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

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, March 26, 2024, at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

#### **CALL TO ORDER**

Mayor Heikkila called the meeting to order.

#### **ROLL CALL**

**PRESENT** 

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Lauren Schueler

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

#### **ABSENT**

Councilmember Ward 6 Elizabeth Foreman

#### PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Heikkila.

 CONSIDERATION OF ACKNOWLEDGING RECEIPT, REJECTION, AMENDMENL, AND/OR POSTPONEMENT OF PROCLAMATION P-2324-25: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, APRIL 21, 2024 AS ARBOR DAY IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Schueler.

Participants in discussion

1. Mr. Don Menzie, Chairman of Tree Board, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

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#### **COUNCIL ANNOUNCEMENTS**

## Accessory Dwelling Units

Councilmember Peacock said Council will be discussing accessory dwelling units under Item 35 and he was excited to have the discussion.

## Events/Meetings

Councilmember Holman announced upcoming events; Medieval Fair and Chocolate Festival, as well as a meeting at St. Thomas More Church for those impacted by the Jenkins Avenue Widening Project and the Community Planning and Transportation Committee meeting.

Councilmember Grant announced a community kick-off event for the solar initiative to be held at Development Center.

Councilmember Montoya announced spring cleanup day for those with polycart service on Mondays as April 6<sup>th</sup> and those with polycart service on Tuesdays as April 13<sup>th</sup>.

Councilmember Montoya announced a Ward 3 Town Hall meeting on April 21st at 3:00 p.m. at the Westside Library.

Councilmember Schueler announced spring cleanup day for Ward 2 as April 13th.

Councilmember Ball announced spring cleanup day for Friday polycart service as May 4<sup>th</sup> and other upcoming events, e.g., Chocolate Festival, Palm Sunday, Easter, BMX Park cleanup event, and solar eclipse.

\*

## **Board Appointments**

Councilmember Grant congratulated those citizens who were appointed or reappointed to the City's boards and commissions and thanked them for their service.

\*

## Elections

Councilmember Holman encouraged Ward 2 voters to vote in the upcoming City Council run-off election.

Councilmember Montoya announced the upcoming School Board election on April 2, 2024, and encouraged everyone to get out and vote.

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## Association of Central Oklahoma Governments (ACOG) Grants

Councilmember Grant acknowledged several ACOG grants on tonight's agenda and thanked Staff for pursuing them.

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## **Accounting Careers**

Councilmember Montoya said she was selected to serve as a panelist by the Beta Alpha Psi Chapter of the University of Oklahoma Price Business College on alternative careers in accounting on April 16<sup>th</sup> at 6:00 p.m.

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## Bridge on Crestmont Street

Councilmember Schueler said there is currently a road closure on Crestmont Street at the bridge that spans over Merkle Creek for scheduled maintenance on the bridge through April 4<sup>th</sup>.

\*

## Youth Council

Councilmember Ball said applications are now open for the 2024/2025 Youth Council and encouraged people to sign up.

\*

## Korn Ferry Tour

Mayor Heikkila announced the upcoming Korn Ferry Tour to be held June 17-23, 2024, at the Jimmie Austin Golf Course.

## 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 2 through Item 27 be placed on the consent docket.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items 2 through 27 were placed on the Consent Docket.

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## **APPROVAL OF MINUTES**

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

CITY COUNCIL FINANCE COMMITTEE MEETING MINUTES OF FEBRUARY 16, 2023, AND DECEMBER 21, 2023.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The minutes were approved.

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## **First Reading Ordinance**

3. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-43 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF THE DAWS STREET RIGHT-OF-WAY, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-43 was adopted on First Reading by title.

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

## **BOARD OF APPEALS**

TERM: 02/03/24 TO 02/03/28, J.W. DANSBY, WARD 3 TERM: 02/03/24 TO 02/03/28, MARC ETTERS, WARD 5

## PUBLIC SAFETY OVERSIGHT BOARD

TERM: 02/10/24 TO 02/10/27, LEE GREENLEAF, WARD 4
TERM: 02/10/24 TO 02/10/27, ANN GALLAGHER, WARD 6
TERM: 02/10/24 TO 02/10/27, GREGORY GILKEY, WARD 3

## UNP TIF OVERSIGHT COMMITTEE

TERM: 04/10/24 TO 04/10/27, ROB NORMAN, WARD 3 TERM: 04/10/24 TO 04/10/27, KAIMEE KELLIS, WARD 4

TERM: 04/10/24 TO 04/10/27, NICK MIGLIORINO

## CENTER CITY URBAN DESIGN IMPLEMENTATION PLAN AD HOC COMMITTEE

LEE HALL
KEITH MCCABE
RICHARD MCKOWN
AUTUMN MCMAHON
JIM ADAIR
COUNCILMEMBER HOLMAN

COUNCILMEMBER PEACOCK

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The appointments were approved.

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 CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF FEBRUARY 29, 2024, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the Finance Director's Investment Report was acknowledged.

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## Reports/Communications

 CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF FEBRUARY, 2024.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the Monthly Department Reports were acknowledged.

## **Donation**

7. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF A DONATION AND APPROPRIATION IN THE AMOUNT OF \$6,500 FROM ROBERT KEYES FOR THE PURCHASE OF A VISUALLY RESTORED ANTIQUE WELL PUMP TO BE DISPLAYED AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The donation from Robert Keyes was accepted.

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## **Acceptance of Grant**

8. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$5,000 FROM THE NATIONAL ASSOCIATION OF CITY AND COUNTY HEALTH OFFICIALS (NACCHO) TO SUPPORT THE EFFORTS OF THE MEDICAL RESERVE CORPS VOLUNTEER PROGRAM FOR THE FIRE DEPARTMENT

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The grant from the National Association of City and County Health Officials was accepted.

## **Easement**

9. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENTS E-2324-132 AND E-2324-133: A TEMPORARY CONSTRUCTION EASEMENT AND PERMANANENT UTILITY EASEMENT AND DAMAGES IN THE AMOUNT OF \$2,450 TO STONEWALL HOMES, LLC FOR THE 60<sup>TH</sup> AVE NE BRIDGE REPLACEMENT BOND PROJECT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Easements E-2324-132 and E-2324-133 were accepted and the filing of the permanent easement with the Cleveland County Clerk and the temporary easement with the City Clerk was directed.

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10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENTS E-2324-134 AND E-2324-135: A TEMPORARY CONSTRUCTION EASEMENT AND PERMANANENT UTILITY EASEMENT AND DAMAGES IN THE AMOUNT OF \$11,050.00 TO ELMER BRUEHL AND KRYSTAL BRUEHL FOR THE 60<sup>TH</sup> AVE NE BRIDGE REPLACEMENT BOND PROJECT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Easements E-2324-134 and E-2324-135 were accepted and the filing of the permanent easement with the Cleveland County Clerk and the temporary easement with the City Clerk was directed.

## Contracts

11. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT TO AMENDMENT TWO TO CONTRACT K-1617-137 AND MEMORANDUM OF UNDERSTANDING: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, SUMMIT LAKES PROPERTY OWNERS ASSOCIATION, SUMMIT LAKE VILLAS PROPERTY OWNERS ASSOCIATION, AND SUMMIT LAKES, L.L.C., FOR THE MISTY LAKE DAM REPAIR PROJECT, TO ALLOW THE CITY TO SUBMIT AN APPLICATION FOR HIGH HAZARD POTENTIAL DAM GRANT FUNDS, ADDRESSING OWNERSHIP TRANSFERS, FUND HANDLING AND OTHER MATTERS AS SET FORTH THEREIN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. Two to Contract K-1617-137 was approved.

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12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-134: A RESOLUTION OF THE NORMAN MUNICIPAL AUTHORITY AND CITY OF NORMAN AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FEMA'S REHABILITATION OF HIGH HAZARD POTENTIAL DAMS (HHPD) FOR CONSTRUCTION OF THE MISTY LAKE DAM FOR FISCAL YEAR 2024.

## Acting as City Council and the Norman Municipal Authority

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-134 was adopted.

13. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENI-AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2122-107: MODIFYING AN EXISTING GRANT CONTRACT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) THROUGH THE PUBLIC FLEET CONVERSION GRANT PROGRAM TO BE USED FOR THREE (3) "BEAM SOLAR" LEVEL 2 EV CHARGING STATIONS AND TO EXTEND THE CONTRACT TERM AND BUDGET APPROPRIATION.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. One to Contract K-2122-107 was approved.

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14. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANT PROGRAM FUNDING IN THE AMOUNT OF \$45,642 TO BE USED FOR THREE (3) "BEAM SOLAR" LEVEL 2 EV CHARGING STATIONS; APPROVAL OF CONTRACT K-2324-164; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The ACOG Public Fleet Conversion Grant was accepted and Contract K-2324-164 and the budget appropriation were approved.

15. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENI-, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2223-131: BY AND BETWEEN E & E LAWN CARE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH MARCH 31, 2025.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. One to Contract K-2223-131 was approved.

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16. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2223-132: BY AND BETWEEN GIVENS PROPERTY MAINTENANCE, L.L.C., FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE CODE COMPLIANCE DIVISION EXTENDING THE CONTRACT THROUGH MARCH 31, 2025.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. One to Contract K-2223-132 was approved.

17. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID-2324-41 AND CONTRACT K-2324-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ELLSWORTH CONSTRUCTION OKC, LLC DBA A-TECH PAVING IN THE AMOUNT OF \$154,312.85 FOR THE CLASSEN SIDEWALK PROJECT, PERFORMANCE BOND B-2324-52, STATUTORY BOND B-2324-53, MAINTENANCE BOND MB-2324-50, AND RESOLUTION R-2324-109 GRANTING TAX-EXEMPT STATUS.

Motion made by Councilmember Ward 7 Holman to allow Councilmember Schueler to abstain from Item 18, Seconded by Councilmember Ward 8 Peacock.

Participants in discussion

1. Mr. Scott Sturtz, Interim Director of Public Works

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Bid 2324-41 was accepted, Contract K-2324-131 and the accompanying bonds were approved, and Resolution R-2324-109 was adopted.

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18. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-159: A SUBSCRIPTION SERVICE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NEARMAP US, INC. (NEARMAP) TO PROVIDE ACCESS TO OBLIQUE IMAGERY FOR THE CITY OF NORMAN IN THE AMOUNT OF \$28,500 PER YEAR FOR A PERIOD OF THREE YEARS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-159 was approved.

19. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANT PROGRAM FUNDING IN THE AMOUNT OF \$1,136,000 TO BE USED FOR TWO (2) ELECTRIC CNG FUELING COMPRESSORS; APPROVAL OF CONTRACT K-2324-162; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The ACOG Public Fleet Conversion Grant was accepted and Contract K-2324-162 and the budget appropriation were approved.

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20. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANT PROGRAM FUNDING IN THE AMOUNT OF \$320,260 TO BE USED FOR TWENTY-SIX (26) ALTERNATIVE FUEL VEHICLES, AND ONE (1) ELECTRIC FORD LIGHTNING TRUCK; APPROVAL OF CONTRACT K-2324-163; AND BUDGET ALLOCATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The ACOG Public Fleet Conversion Grant was accepted and Contract K-2324-163 and the budget appropriation were approved.

21. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT THROUGH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) PUBLIC FLEET CONVERSION GRANT PROGRAM FUNDING IN THE AMOUNT OF \$1,078,880 TO BE USED FOR TWO (2) ELECTRIC BUS PANTOGRAPH CHARGERS; APPROVAL OF CONTRACT K-2324-165; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The ACOG Public Fleet Conversion Grant was accepted and Contract K-2324-165 and the budget appropriation were approved.

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22. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2324-166 AND CONVEYANCES E-2324-136, E-2324-137, AND E-2324-138: AN ACQUISITION AND SETTLEMENT AGREEMENT, AND RELATED EASEMENT CONVEYANCES AND RELEASE, RESOLVING CITY OF NORMAN V. HALLBROOKE DEVELOPMENT GROUP ONE, L.L.C., CLEVELAND COUNTY DISTRICT COURT CASE CJ-2021-228, AND ALLOWING ENTRY OF JUDGMENT IN THE TOTAL AMOUNT OF \$194,919.84 IN FAVOR OF DEFENDANT HALLBROOKE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-166 was approved, Easements E-2324-136, E-2324-137, and E-2324-138 were accepted, and the filing thereof with the Cleveland Council Clerk was directed.

23. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2324-167 AND CONVEYANCES E-2324-139, E-2324-140, E-2324-141 AND E-2324-142: AN ACQUISITION AND SETTLEMENT AGREEMENT, AND RELATED EASEMENT CONVEYANCES AND RELEASE, RESOLVING CITY OF NORMAN V. UPLANDS DEVELOPMENT CO., L.L.C., CLEVELAND COUNTY DISTRICT COURT CASE CJ-2021-227, AND ALLOWING ENTRY OF JUDGMENT IN THE TOTAL AMOUNT OF \$199,771.31 IN FAVOR OF DEFENDANT UPLANDS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-167 was approved, Easements E-2324-139, E-2324-140, E-2324-141 and E-2324-142 were accepted, and the filing thereof with the Cleveland Council Clerk was directed.

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## Resolutions

24. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-129: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING IIJA ACT SET ASIDE OF STBG FUNDING FOR TRANSPORTATION ALTERNATIVES FOR THE CONSTRUCTION OF A MULTIMODAL PATH ALONG THE NORTH SIDE OF STATE HIGHWAY 9 BETWEEN 72ND AND 84TH AVENUES SE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-129 was adopted.

25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/ORDON POSTPONEMENT OF RESOLUTION R-2324-130: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING IIJA ACT SET ASIDE OF STBG FUNDING FOR TRANSPORTATION ALTERNATIVES FOR THE CONSTRUCTION OF A MULTIMODAL PATH ALONG THE NORTH SIDE OF STATE HIGHWAY 9 BETWEEN 84TH AND 96TH AVENUES SE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-130 was adopted.

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26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-131: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY REDUCING SEWER NEW DEVELOPMENT EXCISE TAX FUND APPROPRIATIONS BY \$1,000,000 TO BETTER REFLECT REVENUES.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-131 was adopted.

27. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-133: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$9,882.77 FROM THE REFUNDS / REIMBURSEMENTS MISCELLANEOUS RICK MANAGEMENT ACCOUNT TO REPAIR A CITY VEHICLE DAMAGED BY ANOTHER DRIVER IN A TRAFFIC COLLISION.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-133 was adopted.

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#### NON-CONSENT ITEMS

28. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-104: 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 NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE OFFICE DESIGNATION. (1720 NORTH PORTER AVENUE)

Motion made by Councilmember Ward 1 Ball, Seconded by Councilmember Ward 7 Holman.

Participants in discussion

- 1. Mr. Anthony Blatt, ADG Blatt
- 2. Ms. Mary Francis, Ward 7, opponent
- 3. Mr. Evan Dunn, Ward 7, made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-104 was adopted.

29. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/ORDINANCE OF ORDINANCE O-2324-38 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT, AND PLACE THE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF (1720 NORTH PORTER AVENUE).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Participants in discussion

1. Mr. Evan Dunn, Ward 7, made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-38 was adopted on Second Reading section by section.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-38 was adopted on Final Reading.

30. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF <a href="PP-2324-13">PP-2324-13</a> PRELIMINARY PLAT FOR VCN DEVELOPMENT ADDITION, A SIMPLE PLANNED UNIT DEVELOPMENT (GENERALLY LOCATED APPROXIMATELY ONE-HALF MILE NORTH OF ROBINSON STREET ON THE WEST SIDE OF PORTER AVENUE.)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Participants in discussion

- 1. Mr. Scott Sturtz, Interim Director of Public Works
- 2. Ms. Mary Francis, Ward 7, opponent
- 3. Mr. Bobby Chambers, Ward 8

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The preliminary plat for VCN Development Addition, a Simple Planned Unit Development, was approved.

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31. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-75: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE LAND USE & TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN (I.M.) CLEVELAND COUNTY, OKLAHOMA, FROM LOW-DENSITY RESIDENTIAL DESIGNATION AND PLACE THE SAME IN THE COMMERCIAL DESIGNATION AND HIGH-DENSITY RESIDENTIAL DESIGNATION (NEAR THE NORTHEAST CORNER OF INDIAN HILLS ROAD AND 48<sup>TH</sup> AVENUE N.W.)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Participants in discussion

- 1. Mr. Gunner Joyce, Rieger Law Group, attorney representing the applicant
- 2. Mr. Scott Sturtz, Interim Director of Public Works
- 3. Ms. Mary Francis, Ward 7, opponent
- 4. Ms. Jane Hudson, Director of Planning and Community Development
- 5. Mr. Evan Dunn, Ward 7, made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-75 was adopted.

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32. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-27 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE NORTHEAST CORNER OF INDIAN HILLS ROAD AND 48<sup>TH</sup> AVENUE N.W.)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-27 was adopted on Second Reading section by section.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-27 was adopted on Final Reading.

33. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF <a href="PP-2324-9">PP-2324-9</a> PRELIMINARY PLAT FOR WHISPERING TRAILS ADDITION, (GENERALLY LOCATED ONE QUARTER MILE EAST OF 48<sup>TH</sup> AVENUE NW ON THE NORTH SIDE OF WEST INDIAN HILLS ROAD)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The preliminary plat for Whispering Trails Addition was approved.

34. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-39 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-514 (R-1, SINGLE FAMILY DWELLING DISTRICT), 36-515 (R-1-A, SINGLE-FAMILY ATTACHED DWELLING DISTRICT), 36-516 (R-2, TWO-FAMILY DWELLING DISTRICT), 36-519 (RM-6, MEDIUM DENSITY APARTMENT DISTRICT), 36-520 (R-3, MULTIFAMILY DWELLING DISTRICT), AND SECTION 36-521 (RO, RESIDENCE-OFFICE DISTRICT) OF ARTICLE 36-V OF CHAPTER 36 ("ZONING"), TO REMOVE THE BUILDING COVERAGE MAXIMUM; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

Participants in discussion

- 1. Ms. Jane Hudson, Director of Planning and Community Development
- 2. Ms. Jayne Crumpley, Ward 4
- 3. Mr. Stephen Ellis, Ward 4
- 4. Ms. Mary Francis, Ward 7
- 5. Mr. Evan Dunn, Ward 7

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-39 was adopted on Second Reading section by section.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-39 was adopted on Final Reading.

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35. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-40 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 36 ("ZONING"), SECTIONS 36-101 ("DEFINITIONS"), 36-511 ("A-1, GENERAL AGRICULTURAL DISTRICT"), 36-512 ("A-2, RURAL AGRICULTURAL DISTRICT"), 36-513 ("RE, RESIDENTIAL ESTATE DWELLING DISTRICT"), 36-514 ("R-1, SINGLE-FAMILY DWELLING DISTRICT") AND 36-570 ("BOARD OF ADJUSTMENT") IN ORDER TO DEFINE AND CREATE USES FOR ACCESSORY DWELLING UNITS, AND OTHER ZONING ORDINANCE AMENDMENTS FOR THE PURPOSES OF COMPATABILITY THEREWITH; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 7 Holman.

Participants in discussion

- 1. Ms. Jane Hudson, Director of Planning and Community Development
- 2. Mr. Darrel Pyle, City Manager
- 3. Mr. Adam Ross, Ward 8
- 4. Ms. Jayne Crumpley, Ward 4
- 5. Mr. Stephen Ellis, Ward 4
- 6. Ms. Mary Francis, Ward 7
- 7. Ms. Kathryn Walker, City Attorney
- 8. Mr. Bobby Chambers, Ward 5
- 9. Mr. Evan Dunn, Ward 7

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-40 was adopted on Second Reading section by section.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-40 was adopted on Final Reading.

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#### MISCELLANEOUS COMMENTS

## Norman Music Festival

Ms. Marguerite Larson, Ward 6, felt the City of Norman should provide funding for the Norman Music Festival.

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## Accessory Dwelling Units

Ms. Jayne Crumpley, Ward 4, was concerned about the new ordinance allowing accessory dwelling units and how it may affect neighborhoods.

Mr. Stephen Ellis, Ward 4, congratulated Council on the adoption of the accessory dwelling ordinance.

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## Adult Softball

Mr. Tom Aldridge, Ward 1, Norman Adult Softball, said Norman teams are having to travel to other cities to play softball. He urged Council to consider the impacts of not having a place to play in Norman.

\*

## Racism Stinks

Mr. Richard Baxter, said Racism Stinks is a diverse organization unified to deal with the racial division in our community. He said Racism Stinks is now a registered student association at the University of Oklahoma and wants to work together with other cultural student associations. Racism Stinks wants to honor Norman's collaborative effort to be welcoming to all cultures with an International Parade.

\*

## Miscellaneous Comments, continued

## Tax Increment Finance

Mr. Stephen Ellis, Ward 4, said he is working on a paper about tax increment financing and its effect on public education.

## Public Transit and Green Spaces

Mr. Bobby Chambers, Ward 8, asked Council to consider what other cities have done around the country concerning public transit/light rail and plan it so that it brings people to Norman.

## Green Spaces

Mr. Bobby Chambers, Ward 8, encouraged Council to make sure green spaces are included with the new highway coming through Norman and that the state pays for it as part of the project.

## **Breathing Exercises**

Mr. Evan Dunn, Ward 7, said he teaches breathing classes at The Well on the second and fourth Tuesdays and invited everyone to attend.

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#### ADJOURNMENT

City Clerk

The meeting adjourned at 8:41 n m

The meeting dajodined at e. T. p.m.	
ATTEST:	

Mayor





# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, April 09, 2024, at 6:30 PM

## **MINUTES**

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

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, April 09, 2024, at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

## **CALL TO ORDER**

Mayor Heikkila called the meeting to order.

#### ROLL CALL

**PRESENT** 

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 3 Bree Montova

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Elizabeth Foreman

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Matthew Peacock

## **ABSENT**

Councilmember Ward 2 Lauren Schueler

#### PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Heikkila.

#### **APPROVAL OF MINUTES**

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

CITY COUNCIL FINANCE COMMITTEE MEETING MINUTES OF MARCH 21, 2024

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

The minutes were approved.

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#### **AWARDS AND PRESENTATIONS**

## **PROCLAMATIONS**

2. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2324-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2024, AS FAIR HOUSING MONTH IN THE CITY OF NORMAN.

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

Participants in discussion

1. Ms. Mary Dulan, Executive Director, Metro Fair Housing Council of Oklahoma, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

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3. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2324-28: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 8-12, 2024, AS NATIONAL COMMUNITY DEVELOPMENT WEEK IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Participants in discussion

1. Ms. Lisa Krieg, Community Development Block Grant, Grants Manager, thanked the Council and made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the proclamation was acknowledged.

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## **COUNCIL ANNOUNCEMENTS**

## **Events/Meetings**

Councilmember Ball announced spring cleanup day for Friday polycart service as May 4th

Councilmember Montoya announced a Ward 3 Town Hall meeting on April 21st at 3:00 p.m. at the Westside Library.

Councilmember Grant announced upcoming events; Job Fair at The Well on April 10<sup>th</sup>, Second Friday Art Walk, Norman in the Know on April 24<sup>th</sup>, and a joint Wards 4 and 7 meeting at the Adult Wellness and Education Center on May 18<sup>th</sup>.

Councilmember Holman announced spring cleanup day for Ward 7 as April 20th.

Councilmember Holman announced upcoming events; Medieval Fair, Art Walk, Earth Day Festival, and the AIM Norman meeting.

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#### Accounting Careers

Councilmember Montoya said she was selected to serve as a panelist by the Beta Alpha Psi Chapter of the University of Oklahoma Price Business College on alternative careers in accounting on April 16<sup>th</sup> at 6:00 p.m.

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## Elections

Councilmember Peacock thanked the voters of Ward 2 voters for their support in the recent runoff election.

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## Child Abuse and Neglect Month

Mayor Heikkila said April is Child Abuse and Neglect Month.

## 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 4 through Item 20 be placed on the consent docket.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Items 4 through 20 were placed on the Consent Docket.

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## **First Reading Ordinance**

4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-41 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), BLOCK ONE (1), OF ROSE ROCK SCHOOL ADDITION, 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. (1515 WEST MAIN STREET)

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Ordinance O-2324-41 was adopted on First Reading by title.

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## Reports/Communications

5. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF REPORT ENTITLED "THE CITY OF NORMAN SINGLE AUDIT REPORT FOR THE YEAR ENDED JUNE 30, 2023," AS PREPARED BY THE CITY OF NORMAN FINANCE DEPARTMENT AND AUDITED BY THE FIRM OF FORVIS, L.L.P., FOR THE CITY OF NORMAN, OKLAHOMA, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN ECONOMIC DEVELOPMENT AUTHORITY AND NORMAN TAX INCREMENT FINANCE AUTHORITY.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Receipt of the City of Norman Single Audit Report was acknowledged.

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#### **Contracts**

6. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2223-16: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND PLUMMER ASSOCIATES, INC., IN THE AMOUNT OF \$49,286 FOR A REVISED CONTRACT AMOUNT OF \$578,186 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE GROUNDWATER BLENDING AND DISINFECTION SYSTEM PROJECT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment One to Contract K-2223-16 was approved.

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7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-35: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THIRKETTLE CORPORATION DBA UTILIUSE, IN THE AMOUNT OF \$16,827,912.23 FOR THE MASTER SERVICES AGREEMENT FOR THE ADVANCED WATER METER INFRASTRUCTURE PROJECT, AND AUTHORIZE EXECUTION OF PERFORMANCE BOND B-2223-79, STATUTORY BOND B-2223-80, AND MAINTENANCE BOND MB-2223-64 CONTINGENT UPON CITY ATTORNEY APPROVAL.

## **Acting as the Norman Utilities Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-25 was approved.

8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENL, AND/OR POSTPONEMENT OF CONTRACT K-2324-36: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SENSUS USA, INC., FOR THE SOFTWARE AS A SERVICE AND SPECTRUM LEASE AGREEMENT FOR THE ADVANCED WATER METER INFRASTRUCTURE PROJECT.

# **Acting as the Norman Utilities Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-25 was approved.

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9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-37: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND N. HARRIS COMPUTER CORPORATION, IN THE AMOUNT OF \$332,891 FOR THE MASTER AGREEMENT SOFTWARE LICENSE, SERVICES, AND SUPPORT AND MAINTENANCE AGREEMENT FOR THE ADVANCED WATER METER INFRASTRUCTURE PROJECT.

# **Acting as the Norman Utilities Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-37 was approved.

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10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-38: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND N. HARRIS COMPUTER CORPORATION, IN THE AMOUNT OF \$362,056 FOR THE SMARTWORKS SOFTWARE SERVICES AGREEMENT FOR THE ADVANCED WATER METER INFRASTRUCTURE PROJECT.

#### **Acting as the Norman Utilities Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-38 was approved.

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11. CONSIDERATION OF APPROVAL, ACCEPTANCE, ADOPTION, AUTHORIZATION, REJECTION AND/OR POSTPONEMENT OF BID 2324-45, CONTRACT K-2324-142: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SOUTHWEST WATER WORKS, LLC, IN THE AMOUNT OF \$3,250,256; AUTHORIZATION TO EXECUTE PERFORMANCE BOND B-2324-57, STATUTORY BOND B-2324-58, AND MAINTENANCE BOND MB-2324-57 CONTINGENT UPON THE CITY ATTORNEY'S APPROVAL FOR THE PARSONS ADDITION WATERLINE REPLACEMENT - PHASE II; AUTHORIZATION TO PURCHASE MATERIALS ON BEHALF OF THE CONTRACTOR; AND TRANSFER OF FUNDS BETWEEN PROJECTS AS OUTLINED IN THE STAFF REPORT.

# Acting as the Norman Utilities Authority

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Bid 2324-45 was accepted and awarded, Contract K-2324-142 and the accompanying bonds were approved, the purchasing of materials on behalf of the contractor was authorized, and the transfer of funds was approved.

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12. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-151: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MKEC ENGINEERING INC., IN THE AMOUNT OF \$188,750 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE EAST POST OAK ROAD BRIDGE OVER JIM BLUE CREEK TRIBUTARY BOND PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-151 and budget appropriation were approved.

13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/d "POSTPONEMENT OF CONTRACT K-2324-152: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CEC CORPORATION, IN THE AMOUNT OF \$59,426 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE MAIN STREET BRIDGE OVER MERKLE CREEK BOND PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-152 and budget appropriation were approved.

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14. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-153: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND H.W. LOCHNER INC, IN THE AMOUNT OF \$223,050 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE FRANKLIN ROAD BRIDGE OVER LITTLE RIVER BOND PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-153 and budget appropriation were approved.

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15. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-154: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGUIRRE & FIELDS, L.P., IN THE AMOUNT OF \$174,425 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE 24<sup>TH</sup> AVENUE SW BRIDGE OVER MERKLE CREEK BOND PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-154 and budget appropriation were approved.

16. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/d\_"
POSTPONEMENT OF CONTRACT K-2324-155: BY AND BETWEEN THE CITY OF NORMAN,
OKLAHOMA, AND GARVER, L.L.C., IN THE AMOUNT OF \$1,508,638 TO PROVIDE
ENGINEERING DESIGN SERVICES FOR THE NORTH PORTER AVENUE BRIDGE OVER
LITTLE RIVER BOND PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE
STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Contract K-2324-155 and budget appropriation were approved.

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17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2324-161: A FINANCIAL SERVICES AGREEMENT BY AND BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY AND COALIGN GROUP, L.L.C., TO AUTHORIZE THEIR CONTINUED SERVICES IN ANALYSIS OF THE PROPOSED UNIVERSITY NORTH PARK TAX INCREMENT FINANCE DISTRICT AS OUTLINED IN THE STAFF REPORT

# **Acting as the Norman Tax Increment Finance Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-161 was approved.

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18. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2324-168: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND DUKE'S ROOT CONTROL, INC., IN THE AMOUNT OF \$118,794.72 TO PROVIDE PROFESSIONAL SERVICES FOR THE ASHTON GROVE LIFT STATION BASIN LINE STUDY (WW0341) AND BUDGET TRANSFER.

## **Acting as the Norman Utilities Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-168 and budget transfer were approved.

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19. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-173: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND UTILITY TECHNOLOGY SERVICES, IN THE AMOUNT OF \$669,478.85 FOR THE ANNUAL SAAS FEES AGREEMENT FOR THE ADVANCED WATER METER INFRASTRUCTURE PROJECT.

# **Acting as the Norman Utilities Authority**

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

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Foreman, Trustee Ward 7 Holman, Trustee Ward 8 Peacock

Contract K-2324-173 was approved.

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#### Resolutions

20. CONSIDERATION REJECTION, AMENDMENT, OF ADOPTION, POSTPONEMENT OF RESOLUTION R-2324-136: A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED. ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE 60TH AVENUE NE BRIDGE REPLACEMENT 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.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Resolution R-2324-136 was adopted.

#### **NON-CONSENT ITEMS**

#### **Public Hearings**

21. CONDUCTING A PUBLIC HEARING FOR CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF SUBSTANTIAL AMENDMENT NO. TWO TO THE FYE20 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

#### The Public Hearing was opened.

Participants in discussion

1. Ms. Lisa Krieg, Community Development Block Grant, Grants Manager

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

# The Public Hearing was closed

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. Two to the FYE 20 Community Development Block Grant Action Plan was approved.

22. CONDUCTING A PUBLIC HEARING FOR CONSIDERATION OF ACCEPTANCL, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-1920-16 ALONG WITH SUBSTANTIAL AMENDMENT TWO TO THE FYE18 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN AS OUTLINED IN THE STAFF REPORT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

## The Public Hearing was opened.

Participants in discussion

- 1. Ms. Lisa Krieg, Community Development Block Grant, Grants Manager
- 2. Mr. Stephen Ellis, Ward 4, asked questions
- 3. Ms. Cynthia Rogers, Ward 4, made comments
- 4. Ms. Sherylann Densow, made comments

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

Voting Yea: Mayor Heikkila, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Councilmember Ward 1 Ball left the meeting.

# The Public Hearing was closed

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

Voting Yea: Mayor Heikkila, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Amendment No. One to Contract K-1920-16 along with Substantial Amendment Two to the FYE18 Community Development Block Grant Action Plan were approved.

# **Second Reading Ordinance**

23. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-43 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF THE DAWS STREET RIGHT-OF-WAY, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

#### Participants in discussion

- 1. Ms. Beth Muckala, Assistant City Attorney
- 2. Mr. Stephen Ellis, Ward 4, asked questions
- 3. Ms. Brenda Kimmel, Ward 4, made comments
- 4. Mr. Scott Sturtz, Interim Director of Public Works
- 5. Ms. Chelsey Gravel, Ward 4, made comments
- 6. Ms. Karlinda Gravel, Ward 4, made comments
- 7. Ms. Sherylann Densow, Wards 4 and 6, made comments

Voting Yea: Mayor Heikkila, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

# Ordinance O-2324-43 was adopted on Second Reading section by section.

Motion made by Councilmember Ward 8 Peacock, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Foreman, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock

Voting Nay: Councilmember Ward 5 Nash

Ordinance O-2324-43 was adopted on Final Reading.

#### **MISCELLANEOUS COMMENTS**

# Tax Increment Finance

Mr. Stephen Ellis, Ward 4, referenced an email he sent to Council about Item 17, a contract with Coalign Group for their analysis of the University North Park Tax Increment Finance District.

Ms. Cynthia Rogers, Ward 4, referenced a report from HVS on the fiscal impact, net new revenue, cost, and diversion on the prior TIF proposal. She felt that type of study should be done on the current proposal.

\*

# Alleys

Mr. Ben Plummer, Ward 4, suggested converting alleys into pedestrian zones.

\*

# Smoking in Bars

Mr. Ben Plummer, Ward 4, said he would love it if on 50% of the bars in Norman allowed smoking opposed to all of them.

\*

#### **Homelessness**

Mr. Ben Plummer, Ward 4, said there is a lot of aggressive homeless people walking down Flood Street. He said he can not do gardening in his yard without being approached by them.

Mr. Michael Blunck, Ward 1, said he was speaking on behalf of Red Dirt Collective regarding a statute that prohibits people from delivering perishable food to A Friend's House. He was concerned because he knows several people who would like to donate food, but are not able to do so. He urged Council to allow it and get a refrigerator for A Friend's House so the food can be stored inside.

Mr. Paul Wilson, Ward 1, supporting allowing perishable food at A Friend's House.

Ms. Chelsey Gravel, Ward 4, said she has seen some of the homeless people throw coffee on one another. She said nothing has been changed in the current contract with the provider and it clearly states it is not allowed. She also suggested many of the people in the Cleveland County jail are homeless and have committed some very serious crimes.

Ms. Cherylann Densow, Wards 4 and 6, said Norman is full of compassionate people want to help others, but there are rules in state statute (health code) to make sure people are fed safely.

\*

#### Ward Two

Mr. Paul Wilson, Ward 1, and Ms. Karlinda Gravel, Ward 4, congratulated Councilmember Peacock on his recent victory as the Ward 2 Councilmember.

\*

#### **Posture**

Mr. Evan Dunn, Ward 7, said he will be teaching a class on the power of posture at The Well Thursday evening and encouraged everyone to attend. He also read an excerpt from the book Finding Flow.

\*

#### Van's Pig Stand

Ms. Brenda Kimmel, Ward 4, said she wanted to answer the Mayor's question about how patrons will get in and out of Van's if they do not exit onto Daws Street. She said the space on the south side of the drive through is an alley and people can exit that was as well.

\*

#### Accessory Dwelling Units

Ms. Chelsey Gravel, Ward 4, said with the construction of ADUs, additional green space will be taken up and urged the Council to consider the stormwater impacts.

\*

#### Citizen Participation

Ms. Karlinda Gravel, Ward 4, thanked Council for allowing citizen participation in the Council meetings as many other cities do not allow them.

\*

# Norman Neighbors Facebook Page

Ms. Karlinda Gravel, Ward 4, said there had been a lot of negative comments about the Norman Neighbors Facebook page, but there was a comment on the page thanking them for posting a picture of their family member they had not been able to get in touch with. They were glad to know he was still alive.

\*\*\*\*

# ADJOURNMENT The meeting adjourned at 8:41 p.m. ATTEST: City Clerk Mayor



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, November 26, 2024 at 6:30 PM

# MINUTES

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, November 26, 2024 at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 call 405-366-5424, 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

#### **CALL TO ORDER**

Mayor Heikkila called the meeting to order at 6:30 p.m.

#### **ROLL CALL**

#### PRESENT

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Matthew Peacock

Councilmember Ward 3 Bree Montova

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Josh Hinkle

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Scott Dixon

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Heikkila and members of the Boy Scouts of America.

#### **PROCLAMATIONS**

1. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, DECEMBER 14, 2024, AS NATIONAL WREATHS ACROSS AMERICA DAY, IN THE CITY OF NORMAN.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Participants in Discussion:

1. Ms. Dianna Nieto, and Mr. Larry Myers, Warren Cemetery Association, accepted the proclamation and thanked Council

#### Receipt of Proclamation P-2425-11 was Acknowledged.

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2. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-13: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, NOVEMBER 30, 2024, AS SMALL BUSINESS SATURDAY IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 8 Dixon, Seconded by Councilmember Ward 2 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Participants in Discussion:

 Ms. Ashley Jackson, Apple Tree Chocolates, accepted the Proclamation and thanked Council

Receipt of Proclamation P-2425-13 was Acknowledged.

#### **COUNCIL ANNOUNCEMENTS**

Thanksgiving. Councilmember Ball wished residents a safe and happy holiday.

Councilmember Hinkle wished residents a safe and happy holiday.

\*

<u>Firehouse Art Center</u>. Councilmember Ball said that the Firehouse Art Center has some events going on during the holidays.

\*

Norman Animal Welfare Center. Councilmember Ball stated that he used Norman Animal Welfare Center to get his cat neutered, microchipped and updated rabies vaccine and had a pleasant experience. He encouraged residents to go online and see what services and pets are available.

\*

<u>Shop Local</u>. Councilmember Peacock reminded residents about Small Business Saturday and encouraged them to shop local.

Councilmember Hinkle encouraged residents to participate in Small Business Saturday.

\*

<u>AIM Norman Project</u>. Councilmember Montoya reminded residents about the open house meetings for the AIM Norman Project on December 10, 2024, at the Young Family Athletic Center and December 11, 2024, at the Development Center.

Councilmember Grant encouraged residents to attend the AIM open house events.

\*

<u>Community Fridge</u>. Councilmember Grant stated there is a Mutual Aid Pantry behind Yellow Dog Coffee for those that would like to give back this season and it is the only outdoor fridge for the community.

\*

<u>Holiday Parade</u>. Councilmember Holman reminded residents about the Norman Holiday Parade on December 7, 2024.

\*

Winter Fest. Councilmember Holman stated Norman will be holding its first Winterfest that is immediately following the Holiday Parade.

#### **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 20 be placed on the consent docket.

Motion to place Items 3 through 20 on the Consent Docket with the exception of Item 15 made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Item 3 through Item 20 with the exception of Item 15 were placed on the Consent Docket.

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#### **APPROVAL OF MINUTES**

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

CITY COUNCIL SPECIAL MEETING MINUTES OF NOVEMBER 5, 2024 AND NOVEMBER 12, 2024.

CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MEETING MINUTES OF MARCH 4, 2021.

CITY COUNCIL OVERSIGHT COMMITTEE MEETING MINUTES OF AUGUST 11, 2022, OCTOBER 13, 2022, JANUARY 12, 2023, MARCH 9, 2023 AND NOVEMBER 14, 2024.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Minutes were Approved.

### First Reading Ordinance

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-9 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHEAST QUARTER (NE/4) OF SECTION SIXTEEN (16), TOWNSHIP EIGHT (8) 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 PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF EAST CEDAR LANE ROAD AND EAST OF CLASSEN BLVD)

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-9 was Adopted Upon First Reading by Title.

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# Reports/Communications

5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF OCTOBER 31, 2024, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Receipt of the Finance Director's Investment Report was Acknowledged.

6. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF OCTOBER, 2024.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Receipt of the Monthly Departmental Reports was Acknowledged.

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# **Request for Payment**

7. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2425-2: SUBMITTED BY DAVID AND KIMBERLY GRISSAM IN THE TOTAL AMOUNT OF \$12,843.13 FOR DAMAGE TO THEIR VEHICLE AS A RESULT OF AN INCIDENT THAT OCCURRED ON AUGUST 1, 2024 AT THE NORMAN POLICE DEPARTMENT PARKING LOT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Request for payment of Special Claim SC-2425-2 was Approved.

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8. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2425-3: SUBMITTED BY FAITH RICHARDS IN THE TOTAL AMOUNT OF \$18,010.47 FOR DAMAGE TO HER VEHICLE AS A RESULT OF AN INCIDENT THAT OCCURRED ON AUGUST 1, 2024 AT THE NORMAN POLICE DEPARTMENT PARKING LOT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Request for Special Claim SC-2425-3 was Approved.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The purchase Building and Contents Insurance for the City of Norman was authorized and the Budget Appropriation was Approved.

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#### **Contracts**

10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CHANGE ORDER ONE TO CONTRACT K-2324-80: BY AND BETWEEN THE CITY OF NORMAN UTILITIES AUTHORITY AND INDUSTRIAL HYDRO SERVICES FOR THE REMOVAL AND DISPOSAL OF BIOSOLIDS FROM DIGESTER, IN THE AMOUNT OF \$18,760.29, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$18,760.62.

#### **Acting as the Norman Utilities Authority**

Motion made by Trustee Ward 2 Peacock, Seconded by Trustee Ward 6 Hinkle.

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 2 Peacock, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Hinkle, Trustee Ward 7 Holman, Trustee Ward 8 Dixon

Change Order One, Final Acceptance, and Final Payment of Contract K-2324-80 were Approved.

11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2324-153: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND H.W. LOCHNER INC, IN THE AMOUNT OF \$136,162.30 FOR A REVISED CONTRACT AMOUNT OF \$359,212.30 FOR THE DESIGN OF THE FRANKLIN ROAD BRIDGE OVER LITTLE RIVER BOND PROJECT AND BUDGET APPROPRIATION.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Amendment Number One to Contract K-2324-153 and Budget Appropriation were Approved.

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12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF AWARDING OF BID 2425-20 AND CONTRACT K-2425-64: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND G&S SERVICES, L.L.C., IN THE AMOUNT OF \$186,480, MAINTENANCE BOND MB-2425-24, PERFORMANCE BOND B-2425-33, AND STATUTORY BOND B-2425-34, FOR THE MUNICIPAL COMPLEX SIGNAGE PROJECT; APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT K-2425-64 IN THE AMOUNT OF \$5,414; AND ADOPTION OF PROJECT AGENT RESOLUTION R-2425-58, GRANTING TAX EXEMPT STATUS FOR THE PROJECT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Bid B-2425-20 was Accepted and Awarded, Contract K-2425-64, Change Order Number One, and associated Bonds were Approved, and Resolution R-2425-58 was Adopted.

13. CONSIDERATION OF APROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$6,000 FROM THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO BE USED BY THE ANIMAL WELFARE DIVISION, AS REIMBURSEMENT FOR A WAIVED/REDUCED FEE ADOPTION EVENT AND THE ASSOCIATED COSTS; APPROVAL OF CONTRACT K-2425-72; AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Grant was Accepted and Contract K-2425-72 and Budget Appropriation was Approved.

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#### Resolutions

14. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-65: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY JORDAN WEST UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF JORDAN WEST V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE 2024-03327 T; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-65 was Adopted.

#### Removed by Staff - Postponed to December 10, 2024

16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$53,366.22 FROM THE REFUNDS REIMBURSEMENTS MISCELLANEOUS RISK MANAGEMENT ACCOUNT RECEIVED FROM INSURANCE COMPANIES AND/OR THE RESPONSIBLE PARTIES TO REPAIR AND REPLACE DAMAGED TRAFFIC SIGNAL EQUIPMENT OR TRAFFIC SIGNS DAMAGED IN TRAFFIC COLLISIONS.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Resolution R-2425-72 was Adopted.

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17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2425-68: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$50,000 FROM THE ROOM TAX FUND BALANCE TO THE MISCELLANEOUS SERVICES, FOR NORMAN ARTS COUNCIL.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-68 was Adopted.

18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OLD POSTPONEMENT OF RESOLUTION R-2425-70: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AUTHORIZING SUBMITTAL OF CLOSEOUT DOCUMENTS FOR CONTRACT K-2122-57 WITH THE OKLAHOMA DEPARTMENT OF COMMERCE.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-70 was Adopted.

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19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-76: 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 SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE INDUSTRIAL DESIGNATION AND PLACE THE SAME IN THE MIXED USE DESIGNATION AND CHANGE APPROXIMATELY 11.5 ACRES FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE). POSTPONED AT THE REQUEST OF THE APPLICANT UNTIL DECEMBER 10, 2024.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Postponed at the request of the Applicant until December 10, 2024.

20. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/Q POSTPONEMENT OF ORDINANCE O-2324-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE). POSTPONED AT THE REQUEST OF THE APPLICANT UNTIL DECEMBER 10, 2024.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Postponed at the request of the Applicant until December 10, 2024.

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#### NON-CONSENT ITEMS

# **Second Reading Ordinance**

21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-6 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 36 ("ZONING"), SECTIONS 36-101 ("DEFINITIONS"), 36-513 ("RE, RESIDENTIAL ESTATE DWELLING DISTRICT"), 36-518 ("RM-4, MOBILE HOME PARK DISTRICT") AND 36-564 ("HOME OCCUPATIONS") IN ORDER TO ALLOW HOME OCCUPATIONS TO BE CARRIED ON IN RE, RESIDENTIAL ESTATE DWELLING DISTRICT, AND RM-4, MOBILE HOME PARK DISTRICT, AND TO REDEFINE, TO MAKE LANGUAGE THROUGHOUT THE ZONING ORDINANCE CONSISTENT, AND ALLOW ADDITIONAL ACTIVITES AS HOME OCCUPATIONS WITH STATED RESTRICTIONS, AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion to Adopt the Ordinance on Second Reading Section by Section made by Councilmember Ward 8 Dixon, Seconded by Councilmember Ward 7 Holman.

# Participants in Discussion:

- 1. Ms. Jane Hudson, Planning and Community Development Director
- 2. Ms. Marguerite Larson, Ward 6, made comments
- 3. Mr. Stephen Ellis, Ward 4, proponent
- 4. Ms. Cynthia Rogers, Ward 4, made comments

Item 21, continued

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

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# Ordinance O-2425-6 was Adopted Upon Second Reading Section by Section.

Motion to Adopt the Ordinance on Final Reading as a Whole made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-6 was Adopted Upon Final Reading as a Whole.

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22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-8 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE ALL OF BLOCK ONE (1) OF THE SECOND STATE UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE RM-6, MEDIUM-DENSITY APARTMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (310 E BOYD STREET)

Motion to Adopt the Ordinance on Second Reading section by section made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Hinkle.

#### Participants in Discussion:

- 1. Mr. Gunner Joyce, Representative of the Applicant
- 2. Ms. Dianna Hutzel, Ward 5, made comments
- 3. Mr. Stephen Ellis, Ward 4, made comments
- 4. Mr. Ben Plummer, Ward 4, proponent
- 5. Ms. Cynthia Rogers, Ward 4, made comments
- 6. Ms. Karlinda Gravel, Ward 4, made comments
- 7. Ms. Chelsey Gravel, Ward 4, made comments

Motion to Amend Ordinance O-2425-8 reducing the maximum height from 9 stories to 7 stories Upon Second Reading Section by Section made by Councilmember Ward 4 Grant, Seconded by Councilmember Ward 2 Peacock.

#### Item 22, continued

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Ordinance O-2425-8 was amended as stated above.

#### Back to the main motion on the floor as amended.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Ordinance O-2425-8 was Adopted as Amended Upon Second Reading Section by Section as Amended.

Motion to Adopt Ordinance O-2425-8 as Amended reducing the maximum height from 9 stories to 7 stories Upon Final Reading as a Whole made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Ordinance O-2425-8 was Adopted Upon Final Reading as a Whole as Amended.

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23. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONMENT OF RESOLUTION R-2425-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN DIRECTING STAFF TO TERMINATE CONTRACT K-2223-56, A SERVICE AND LEASE AGREEMENT WITH FOOD AND SHELTER, INC. FOR OPERATION OF AN EMERGENCY OVERNIGHT SHELTER, PURSUANT TO ITS TERMS.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

#### Participants in Discussion:

- 1. Mr. Anthony Purinton, Assistant City Attorney
- 2. Ms. Dianna Hutzel, Ward 5, made comments
- 3. Mr. John Scamehorn, Ward 1, made comments
- 4. Mr. Stephen Ellis, Ward 4, made comments
- 5. Ms. Mayumi Windler, Ward 2, made comments

#### Item 23, continued

- 6. Mr. Ben Plummer, Ward 4, made comments
- 7. Ms. Victoria Garcia, Ward 4, made comments
- 8. Mr. Paul Willson, Ward 1, made comments
- 9. Ms. Chelsey Gravel, Ward 4, proponent
- 10. Ms. Karlinda Gravel, Ward 4, proponent

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Resolution R-2425-53 was Adopted.

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24. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2425-58: A SERVICE AND LEASE AGREEMENT WITH CITY CARE, INC., FOR THE OPERATION OF AN EMERGENCY OVERNIGHT SHELTER; AND FUND APPROPRIATIONS AS OUTLINED IN THE STAFF REPORT.

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

# Participants in Discussion:

- 1. Mr. Anthony Purinton, Assistant City Attorney
- 2. Mr. Rick Knighton, Interim City Attorney
- 3. Mr. Darrel Pyle, City Manager
- 4. Ms. Dianna Hutzel, Ward 5, made comments
- 5. Mr. Bill Hutzel, Ward 5, made comments
- 6. Mr. John Scamehorn, Ward 1, opponent
- 7. Mr. Trey Kirby, Ward 5, made comments
- 8. Mr. Stephen Lett, Ward 4, proponent
- 9. Ms. Marguerite Larson, Ward 6, proponent
- 10. Mr. Stephen Ellis, Ward 4, made comments
- 11. Ms. Mayumi Windler, Ward 2, made comments
- 12. Mr. Alex Lanphere, Ward 2, proponent
- 13. Mr. Ben Plummer, Ward 4, made comments
- 14. Ms. Chanel Roady, Ward 4, made comments
- 15. Mr. Zane Wooten, Ward 4, made comments
- 16. Ms. Cynthia Rogers, Ward 4, made comments
- 17. Mr. Luigi Polvani, Waed 4, made comments
- 18. Ms. Rita Cowan, Ward 4, made comments
- 19. Ms. Jeanette Coker, Ward 4, made comments
- 20. Ms. Victoria Garcia, Ward 4, made comments
- 21. Mr. Paul Willson, Ward 1, made comments
- 22. Mr. Evan Dunn, Ward 7, made comments
- 23. Mr. Russell Rice, Ward 2, made comments
- 24. Ms. Chelsey Gravel, Ward 4, made comments
- 25. Ms. Karlinda Gravel, Ward 4, made comments

Item 24, continued

Voting Yea: Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman

Voting Nay: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 5 Nash, Councilmember Ward 8 Dixon

#### **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.

<u>Homelessness.</u> Ms. Dianna Hutzel, Ward 5, expressed her concerns about the homeless in Norman and encouraged Council to do more research on Ordinances like the one in Santa Cruz, California. It makes it illegal for cities to drop off unhoused individuals without prior authorization and spoke about affordable housing.

Mr. Stephen Ellis, Ward 4, spoke about social political philosophy and homelessness.

Mr. Ben Plummer, Ward 4, expressed concern about the time that has been spent on the unhoused individuals and drafted an Ordinance for Council for higher density development.

Ms. Cynthia Rogers, Ward 4, spoke about public economics, public finance and how it relates to the challenges with homelessness.

Ms. Chelsey Gravel, Ward 4, expressed her concerns about the services and shelter that is being provided for the homeless.

Ms. Karlinda Gravel, Ward 4, expressed her sympathy about the loss of a family member of a Councilmember and spoke about the increase of crime in her neighborhood. She expressed her concerns about the homeless being held accountable for the crimes that they have committed.

\*

Monthly Report. Ms. Mayumi Windler, Ward 2, spoke about the number of City at fault vehicle collisions and asked when the monthly report is updated.

\*

Open Burn. Mr. Arya Azma, Ward 6, spoke about City Ordinance on open burning.

Miscellaneous Comments, continued

Random Acts of Kindness. Mr. Paul Wilson, Ward 1, encouraged everyone to do one random act of kindness and shared a couple of stories about random acts of kindness that have affected him.

\*

Miscellaneous Comments, continued

Misc. Mr. Evan Dunn, Ward 7, said he is thankful for people who utilize their amendment rights and mentioned the emails he recently sent to Council.

Mr. Trey Kirby, Ward 5, spoke about his life and family.

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ADJOURNMENT		
Meeting was Adjourned at 11:18 p.m.		
ATTEST:		
City Clerk	Mayor	



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, December 10, 2024 at 6:30 PM

# **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, December 10, 2024 at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 405-366-5424, 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

#### **CALL TO ORDER**

Mayor Heikkila called the meeting to order at 6:30 p.m.

#### **ROLL CALL**

# **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Matthew Peacock

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 6 Josh Hinkle

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Scott Dixon

#### **ABSENT**

Councilmember Ward 5 Michael Nash

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Heikkila.

#### **APPROVAL OF MINUTES**

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

CITY COUNCIL FINANCE COMMITTEE MINUTES OF NOVEMBER 21, 2024

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Minutes were Approved.

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#### **AWARDS AND PRESENTATIONS**

2. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-64: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXPRESSING GRATITUDE TO THE ABSENTEE SHAWNEE TRIBE FOR THEIR ASSISTANCE IN OBTAINING GRANT FUNDING TO COMPLETE A NUMBER OF IMPORTANT PROJECTS ON TRIBAL ROUTES WITHIN THE CITY OF NORMAN

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Participants in Discussion:

1. Mr. Anthony Johnson, Absentee Shawnee Tribe, accepted the Resolution and thanked Council

Resolution R-2425-64 was Adopted.

3. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-14: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF DECEMBER, 2024, AS NATIONAL IMPAIRED DRIVING PREVENTION MONTH IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Participants in Discussion:

 Captain Carl Pendleton, Norman Police Department, accepted the proclamation and thanked Council.

Receipt of the Proclamation was Acknowledged.

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#### **COUNCIL ANNOUNCEMENTS**

<u>Happy Holidays</u>. Councilmembers Ball, Peacock, Montoya, Grant, Hinkle, Holman, and Dixon wished everyone a safe and happy holiday.

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Impaired Driving. Councilmembers Ball, Hinkle, and Holman reminded residents to not drink and drive.

\*

Artwalk. Councilmember Grant reminded residents about the Artwalk on December 13, 2024.

\*

<u>AIM Norman</u>. Councilmembers Grant and Holman reminded residents about the upcoming AIM open-house meetings.

\*

<u>Holiday Events</u>. Councilmember Ball and Mayor Heikkila stated the Holiday Parade was a great event and Councilmember Grant reminded residents about the Christmas Dinner at the Norman High School Commons on December 25, 2024.

\*

Art in Norman. Councilmembers Grant and Holman reminded residents about the monthly Artwalk, and the new art dedication on December 14, 2024, at the Adult Wellness Center.

\*

# COUNCIL ANNOUNCEMENTS, continued

<u>Center for Children and Families (CCFI)</u>. Councilmember Grant reminded residents about the events happening at CCFI such as the Parent Cafe on December 12, 2024, and the Baby Pantry on December 20, 2024.

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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 25 be placed on the consent docket.

Motion to place Item 3 through 25 on the consent docket made by Councilmember Ward 8 Dixon, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Item 3 through Item 25 was placed on the Consent Docket.

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# First Reading Ordinance

4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-17 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 36, ARTICLE V, ZONING, SECTION 36-535, HISTORIC DISTRICT COMMISSION REQUIREMENT; AMENDING THE APPLICATION REQUIREMENTS FOR CERTIFICATE OF APPROPRIATENESS; EDITS FOR CONSISTENCY OR CORRECTIVE PURPOSES; AND ALLOW HISTORIC PRESERVATION OFFICER TO GRANT TIME EXTENSION FOR CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-17 was Adopted Upon First Reading by Title.

<u>5.</u> CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-18 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE COMPENSATION OF THE CITY ATTORNEY CONSISTENT WITH REQUIREMENTS FOR THE CITY MANAGER'S COMPENSATION IN ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-18 was Adopted Upon First Reading by Title.

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## **Reports/Communications**

6. CONSIDERATION OF 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 \$25,607.12, FOR FISCAL YEAR ENDING (FYE) 2024.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The request from the Norman Housing Authority was Approved.

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7. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF REPORTS ENTITLED "ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2024," AS PREPARED BY THE CITY OF NORMAN FINANCE DEPARTMENT AND AUDITED BY THE FIRM OF FORVIS MAZARS, LLP, FOR THE CITY OF NORMAN, OKLAHOMA, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, NORMAN ECONOMIC DEVELOPMENT AUTHORITY AND NORMAN TAX INCREMENT FINANCE AUTHORITY.

#### Item 7, continued

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Receipt of the Annual Comprehensive Financial Report for Fiscal Year Ended June 30, 2024, was Acknowledged.

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8. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF NOVEMBER 30, 2024, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Receipt of the Finance Director's Investment Report was Ackowledged.

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#### Request for Payment

9. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2425-4: SUBMITTED BY ANDRES VERGARA, THROUGH LEGAL COUNSEL GREG MITCHELL, IN THE TOTAL AMOUNT OF \$52,500 FOR PROPERTY AND PERSONAL INJURY DAMAGES AS A RESULT OF A COLLISION WITH A CITY VEHICLE THAT OCCURRED ON OCTOBER 18, 2023 AT W. GRAY ST. AND N. WEBSTER AVE.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Special Claim SC-2425-4 was Approved.

#### **Final Plat**

10. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FP-2425-3 FINAL PLAT FOR CRIMSON FLATS, A SIMPLE PLANNED UNIT DEVELOPMENT (LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF IMHOFF ROAD AND OAKHURST AVENUE).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Final Plat for Crimson Flats, a Simple Planned Unit Development was Approved.

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#### **Contracts**

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER TWO TO CONTRACT K-2324-111: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SILVER STAR CONSTRUCTION COMPANY, INC., DECREASING THE CONTRACT AMOUNT BY \$180,009.70, FOR A REVISED CONTRACT AMOUNT OF \$903,184.87 AND FINAL ACCEPTANCE AND PAYMENT OF \$45,159.25, FOR THE STREET MAINTENANCE BOND ASPHALT PAVEMENT – FYE 2024 LOCATIONS PROJECT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Change Order Two, Final Acceptance and Payment to Contract K-2324-111 were Approved.

12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT FOR CHANGE ORDER ONE TO CONTRACT K-2324-177: BY AND BETWEEN THE CITY OF NORMAN AND K&R BUILDERS, INC., INCREASING CONTRACT BY \$39,933.50, FOR THE CONSTRUCTION OF THE 60<sup>TH</sup> AVENUE NE BRIDGE REPLACEMENT BOND PROJECT AND APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Change Order One to Contract K-2324-177 and Budget Appropriation were Approved.

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13. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-62: A PROJECT AGREEMENT BETWEEN BNSF RAILWAY COMPANY, THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE CITY OF NORMAN, OKLAHOMA FOR THE CONSTRUCTION OF A CONTROLLER BOX, WARNING SIGNALS AND GATE ARMS FOR THE GRAY STREET TWO WAY PROJECT – UNIVERSITY AVENUE TO PORTER AVENUE, AS OUTLINED THEREIN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-62 was Approved.

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14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AWARDING BID 2425-26 AND CONTRACT K-2425-69: BY AND BETWEEN THE CITY OF NORMAN AND SAC SERVICES INC., FOR THE BOYD STREET PIPE REPLACEMENT PROJECT IN THE AMOUNT OF \$1,406,744.80, MAINTENANCE BOND MB-2425-23; STATUTORY BOND B-2425-37; PERFORMANCE BOND B-2425-36; ADOPTION OF RESOLUTION R-2425-57 GRANTING TAX EXEMPT STATUS AND APPROVAL OF APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

#### Item 14, continued

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Bid B-2425-26 was Accepted and Contract K-2425-69, all associated Bonds and Budget Appropriation were Approved and Resolution R-2425-57 was Adopted.

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15. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-70: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CRAFTON TULL & ASSOCIATES, INC., IN THE AMOUNT OF \$135,664 FOR THE DESIGN OF THE WOODLAND DRIVE STORM SEWER REPLACEMENT PROJECT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-70 was Approved.

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16. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2425-24 AND CONTRACT K-2425-73: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND J-W POWER COMPANY, FOR THE REMOVAL AND REPLACEMENT OF THE CITY'S CNG COMPRESSOR PACKAGES AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Bid B-2425-24 was Accepted and Contract K-2425-73 and Budget Appropriation were Approved.

17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF AWARDING RFP-2425-22, CONTRACT K-2425-75: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND HAPPY PLAYGROUNDS L.L.C., IN THE AMOUNT OF \$227,004; MAINTENANCE BOND MB-2425-26, PERFORMANCE BOND B-2425-31; AND STATUTORY BOND B-2425-32 FOR THE WILLIAM MORGAN PARK PLAYGROUND PROJECT, AND RESOLUTION R-2425-75 GRANTING TAX EXEMPT STATUS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

RFP-2425-22 was Awarded and Contract K-2425-75, all associated bonds were Approved, and Resolution R-2425-75 was Adopted.

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18. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-76: A DEVELOPMENT FINANCING AND AFFORDABLE HOUSING LOAN AGREEMENT FOR CRIMSON FLATS EAST BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CRIMSON FLATS EAST LP, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS ON BEHALF OF THE CITY OF NORMAN TO EFFECTUATE THE AGREEMENTS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-76 was Approved and the City Manager or his designee was authorized to execute any documents on behalf of the City of Norman to effectuate the agreements.

19. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-77: A DEVELOPMENT FINANCING AND AFFORDABLE HOUSING LOAN AGREEMENT FOR CRIMSON FLATS WEST BETWEEN THE CITY OF NORMAN, OKLAHOMA AND CRIMSON FLATS WEST LP, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS ON BEHALF OF THE CITY OF NORMAN TO EFFECTUATE THE AGREEMENTS.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-77 was Approved and the City Manager or his designee was authorized to execute any documents on behalf of the City of Norman to effectuate the agreements.

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20. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CONTRACT K-2425-82: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE SOONER THEATRE, INC., IN THE AMOUNT OF \$88,381.00, TO ASSIST WITH THE OPERATION OF THE SOONER THEATRE AND THE PROVISION OF HOSPITALITY SERVICES PROVIDED TO THE COMMUNITY AT SUCH LOCATION.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-82 was Approved.

#### **Settlements**

21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-66: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY NICHOLAS TERHUNE UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF NICHOLAS TERHUNE V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE 2024-03394 E; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-66 was Adopted.

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22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-77: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY MICHAEL J. BUSSELL UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF MICHAEL J. BUSSELL V.. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE 2024-00740 K; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

#### Item 22, continued

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-77 was Adopted.

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#### Resolutions

23. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-74: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING THE REGIONAL SAFETY ACTION PLAN AND VISION ZERO POLICY; AND FOR OTHER PURPOSES.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-74 was Adopted.

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24. CONSIDERATION OF ADOPTION. REJECTION. AMENDMENT. POSTPONEMENT OF RESOLUTION R-2425-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPROVING A MULTI-JURISDICTIONAL EMERGENCY RESPONSE TEAM MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORMAN, THE CITY OF MOORE. CLEVELAND COUNTY, OKLAHOMA, AND THE UNIVERSITY OF OKLAHOMA; AUTHORIZING PERSONNEL TO OPERATE OUTSIDE THE JURISDICTION OF THE CITY OF NORMAN WHEN ACTING UNDER A REQUEST FROM ANOTHER PARTICIPATING AGENCY PURSUANT TO THE TERMS OF THE MULTI-JURISDICTIONAL **EMERGENCY** RESPONSE TEAM **MEMORANDUM** UNDERSTANDING: AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE MULTI-JURISDICTIONAL EMERGENCY RESPONSE TEAM MEMORANDUM OF UNDERSTANDING

# Item 24, continued

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Resolution R-2425-76 was Approved.

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25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2425-71: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE DOCUMENTS AND AGREEMENTS RELATED TO THE CITY'S DOWN PAYMENT ASSISTANCE PROGRAM.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-71 was Adopted.

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#### **NON-CONSENT ITEMS**

#### **Second Reading Ordinance**

26. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-76: 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 SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE INDUSTRIAL DESIGNATION AND PLACE THE SAME IN THE MIXED USE DESIGNATION AND CHANGE APPROXIMATELY 11.5 ACRES FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE).

#### Item 26, continued

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Participants in Discussion:

- 1. Mr. Sean Reiger, Representative of the Applicant
- 2. Mr. Anthony Hanley, Crafton Tull
- 3. Mr. Scott Sturtz, Director of Public Works
- 4. Mr. BJ Hawkins, Traffic Engineering Consultant
- 5. Mr. Dan Munson, Ward 6, opponent
- 6. Ms. Cynthia Rogers, Ward 4, made comments
- 7. Mr. Stephen Ellis, Ward 4, proponent
- 8. Mr. Darrel Pyle, City Manager
- 9. Mr. Chis Mattingly, Director of Utilities

# Resolution R-2324-76 was Adopted.

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27. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2324-28 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTHEAST CORNER OF HIGHWAY 9 AND JENKINS AVENUE).

Motion to Adopt the Ordinance upon Second Reading Section by Section made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2324-28 was Adopted Upon Second Reading Section by Section.

# Item 27, continued

Motion to Adopt the Ordinance upon Final Reading as a whole made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2324-28 was Adopted Upon Final Reading as a whole.

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28. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2324-10 A PRELIMINARY PLAT FOR SOONER VILLAGES, A PLANNED UNIT DEVELOPMENT (LOCATED AT THE SOUTHEAST CORNER OF STATE HIGHWAY NO. 9 AND JENKINS AVENUE).

Motion made by Councilmember Ward 1 Ball, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Participants in Discussion:

1. Mr. Evan Dunn, Ward 7, proponent

Preliminary Plat PP-2324-10 for Sooner Villages was Approved.

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29. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-9 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE THE NORTHEAST QUARTER (NE/4) OF SECTION SIXTEEN (16), TOWNSHIP EIGHT (8) 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 PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF EAST CEDAR LANE ROAD AND EAST OF CLASSEN BLVD)

#### Item 29, continued

Motion made to Adopt the Ordinance upon Second Reading by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Peacock.

# Participants in Discussion:

- 1. Mr. Sean Rieger, Representative of the Applicant
- 2. Mr. Terry Haynes, SMC Consulting
- 3. Mr. Trey Kirby, Ward 5, asked questions
- 4. Ms. Cynthia Rogers, Ward 4, made comments
- 5. Mr. Evan Dunn, Ward 7, proponent

Motion to Amend the PUD Narrative Exhibit E for the addition of a garden center and outdoor storage and/or outdoor display, noting that covered/shaded/open outdoor storage and/or display areas shall not be considered building coverage areas for the purposes of determining building coverage within the property was made by Councilmember Ward 4 Grant, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Ordinance O-2425-9 was Amended as stated above.

#### Back to the main motion on the floor.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Ordinance O-2425-9 was Adopted as Amended Upon Second Reading Section by Section.

Motion to Adopt the Ordinance as Amended upon Final Reading as a whole was made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 1 Ball

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-9 was Adopted as Amended Upon Final Reading as a whole.

30. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-4 A REVISED PRELIMINARY PLAT FOR ARMSTRONG BANK CONSOLIDATED PROJECT, A PLANNED UNIT DEVELOPMENT (GENERALLY LOCATED 800' SOUTH OF CEDAR LANE ROAD BETWEEN CLASSEN BLVD. (US HIGHWAY NO. 77) AND 24<sup>TH</sup> AVE SE).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Participants in Discussion:

1. Mr. Ben Plummer, Ward 4, made comments

Preliminary Plat PP-2425-4 for Armstrong Bank Consolidated Project was Approved.

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#### **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 <u>Council as a whole</u> and limited to three minutes or less.

<u>Goats in Norman.</u> Mr. Trey Kirby, Ward 5, spoke about renting goats in town to mow the grass and feels that the Animal Ordinance should be changed.

Ms. Cynthia Rogers, Ward 4, suggested putting the clean-up goats on the Matoon property.

<u>Thanked Staff.</u> Ms. Cynthia Rogers, Ward 4, thanked Staff for the improvements on Alameda and would like to see the watershed and stormwater issues resolved.

Mr. Dan Munson, Ward 6, supports Rick Knighton as the new City Attorney.

Mr. Floyd Cox, Ward 4, stated that the City did a great job with the Holiday Parade.

Mr. Richard Baxter, non-resident, spoke about the Skunk Dog Cookout and thanked Staff and the Mayor for the support.

Housing. Mr. Dan Munson, Ward 6, provided stats of single-family homes.

\*

# MISCELANEOUS COMMENTS, continued

Homeless. Mr. Stephen Ellis, Ward 4, spoke about the unhoused population and ethical considerations, quoting literature.

Mr. Floyd Cox, Ward 4, is worried about retaliation when calling the Police on unhoused crime issues.

Ordinance. Mr. Ben Plummer, Ward 4, asked about getting an update on the Ordinance he submitted at the last meeting.

Mr. Evan Dunn, Ward 7, spoke about the breathe work classes he is teaching at the Well and mentioned 3 books titles, Power of Myth, The Edible School Yard and Science Matters.

#### **ADJOURNMENT**

The Meeting was Adjourned at 8:55 p.m	The	Meeting	was	Ad	iourned	at	8:55	p.m
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ATTEST:	
City Clerk	Mayor



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, January 14, 2025 at 6:30 PM

# **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, January 14, 2025 at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 call 405-366-5424, 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

#### **CALL TO ORDER**

Mayor Heikkila called the meeting to order at 6:30 p.m.

#### **ROLL CALL**

# **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Matthew Peacock

Councilmember Ward 3 Bree Montova

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Josh Hinkle

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Scott Dixon

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Heikkila.

#### **COUNCIL ANNOUNCEMENTS**

Item 1.

Weather. Councilmember Ball reminded residents to take all necessary precautions during coweather conditions and is sending prayers for those effected by the fires in California.

\*

<u>Election</u>. Councilmembers Montoya and Holman reminded residents to update their voter registration and to vote on February 11, 2025.

\*

Ward 4 meetings. Councilmember Grant listed the dates, locations and times for the upcoming Ward 4 meetings that are being held in the Development Center.

\*

Community Planning and Transportation Committee (CPTC). Councilmember Holman reminded residents about the CPTC meeting on January 23, 2025.

\*

<u>Daddy Daughter Dance</u>. Councilmember Hinkle reminded residents about the Daddy Daughter Dance on February 1, 2025, that is hosted by the Parks and Recreation Department.

\*

<u>Chili Supper.</u> Councilmember Hinkle reminded residents about the Norman Police Departments Annual Chili Supper on January 30, 2025.

\*

<u>Master Police Sargeant Jenny Bryan</u>. Councilmember Hinkle spoke about the recent passing of MPO Bryan and sent his condolences to her family and the Norman Police Department. He thanked her for her service to our community and said she will be missed.

\*

Resource Fair. Councilmember Grant stated the Norman Resource Fair will be on January 15, 2025, at the Well and will include assistance with warrant clearing.

\*

Youth Recreation. Councilmember Ball reminded residents about events for youth in Norman at the Young Family Athletic Center, Norman Recreation Centers, such as youth volleyball, baseball, and softball.

\*

# COUNCIL ANNOUNCEMENTS, continued

<u>Thanks Staff</u>. Councilmember Ball thanked Staff for keeping the residents of Norman safe during the recent snowstorms.

Mayor Heikkila thanked Staff for keeping the roads safe for residents during the recent weather event.

Councilmember Dixon thanked the Forestry Division and the Norman Fire Department for their recent work on a new Fire Protection Plan.

\*

<u>Long Range Transit Plan</u>. Councilmember Hinkle reminded residents about the Virtual Town Hall on January 30, 2025, for the Long Range Transit Plan.

\*

<u>Bridges Prom</u>. Councilmember Hinkle stated Bridges of Norman will have their prom on February 15, 2025, and invited residents to support the cause.

\*

Norman North SPUD Week. Councilmember Dixon thanked the Norman North students and donors for their help in raising over \$887,000 in the last four years to the Students Performing Unselfish Deeds (SPUD) week. He said they help raise money for individuals and organizations that are in need.

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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 1 through Item 14 be placed on the consent docket.

Motion to place Item 1 through 14 on the Consent Docket made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 7 Holman.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Item 1 through 14 were placed on the Consent Docket.

Item 15 was withdrawn by Staff prior to the meeting starting.

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

CITY COUNCIL OVERSIGHT MEETING MINUTES OF OCTOBER 24, 2023, NOVEMBER 12, 2020, JANUARY 11, 2024, OCTOBER 10, 2024

CITY COUNCIL FINANCE COMMITTEE MEETING MINUTES OF DECEMBER 19, 2024.

CITY COUNCIL CONFERENCE MEETING MINUTES OF JANUARY 23, 2024

CITY COUNCIL SPECIAL MEETING MINUTES OF OCTOBER 24, 2023, NOVEMBER 28, 2023, FEBRUARY 6, 2024.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF AUGUST 24, 2021, JULY 11, 2023, AUGUST 22. 2023, OCTOBER 24, 2023 AND NOVEMBER 14, 2023, NOVEMBER 28, 2023 AND DECEMBER 12, 2023.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Minutes were Approved.

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#### First Reading Ordinance

2. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE SOUTHEAST)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-15 was Adopted Upon First Reading by Title.

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# **Reports/Communications**

 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.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Receipt of the City Manager's Contract and Change Order Report was Acknowledged.

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# **Certificate of Survey**

4. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS2223-4: FOR LOVETT RANCH AND EASEMENT NOS. E-2425-7, E-2425-8, E-2425-9 AND E-2425-11 (GENERALLY LOCATED ON THE NORTH SIDE OF POST OAK ROAD APPROXIMATELY ½ MILE EAST OF 72ND AVENUE SE).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Norman Rural Certificate of Survey for Lovett Ranch was Approved, Easements E-2425-7, E-2425-8, E-2425-9 and E-2425-11 were Accepted, and the filing thereof with the Cleveland County Clerk was directed.

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5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS2425-4 FOR INDIAN HILLS SPORTS COMPLEX AND EASEMENT NUMBER E-2425-10 (GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF INDIAN HILLS ROAD AND 60TH AVENUE N.W).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Norman Rural Certificate of Survey for Indian Hills Sports Complex was Approved, Easement E-2425-10 was Accepted, and the filing thereof with the Cleveland County Clerk was directed.

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#### **Easement**

6. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONSENT TO ENCROACH EN-2425-1: FOR LOT 5A (formerly 5 & 6), BLOCK 4, FOUNTAIN VIEW ADDITION, SECTION 1, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. (4202 Farm Hill Road)

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Encroachment E-2425-1 for Fountain View Addition, Section 1, was Approved.

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# **Final Plat**

7. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FP-2425-4 FINAL PLAT FOR SOONER KIA OF NORMAN, A SIMPLE PLANNED UNIT DEVELOPMENT, A REPLAT OF THE AMENDED PLAT FOR STIDHAM ADDITION NO. 1 (LOCATED AT 418 INTERSTATE DRIVE).

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Final Plat FP-2425-4 for Sooner Kia of Norman was Approved.

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# Contracts

8. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT BY AND BETWEEN THE CITY OF NORMAN AND CIMARRON CONSTRUCTION COMPANY FOR CHANGE ORDER 1 AND FINAL ACCEPTANCE OF CONTRACT K-2324-4 AND FINAL PAYMENT OF \$23,003.28 FOR THE FYE 2024 BRIDGE MAINTENANCE PROGRAM.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Change Order One, Final Payment, and Final Acceptance of Contract K-2324-4 were Approved.

9. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2425-27, CONTRACT K-2425-74 BY AND BETWEEN: THE CITY OF NORMAN, OKLAHOMA, AND SILVER STAR CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$248,980, PERFORMANCE BOND B-2425-37, STATUTORY BOND B-2425-38, AND MAINTENANCE BOND MB-2425-25 FOR THE IMHOFF ROAD WIDENING — CRIMSON FLATS CONSTRUCTION PROJECT; RESOLUTION R-2425-73 GRANTING TAX EXEMPT STATUS; AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Bid 2425-27 was Accepted, Contract K-2425-74 and the associated bonds were Approved, Resolution R-2425-73 was Adopted and the Budget Transfer was Approved.

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10. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-79: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TFR ENTERPRISES INC. AWARDING PRE-POSITION AGREEMENT FOR DISASTER DEBRIS REMOVAL SERVICES.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-79 was Approved.

11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-81: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND LOOKS GREAT SERVICES OF MS, INC. AWARDING PRE-POSITION AGREEMENT FOR DISASTER DEBRIS REMOVAL SERVICES.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-81 was Approved.

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12. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-83: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PARKHILL IN THE AMOUNT OF \$127,098 FOR DESIGN SERVICES FOR ONE MILE OF MULTIMODAL PATH ALONG STATE HIGHWAY 9 BETWEEN 72<sup>nd</sup> AVENUE SE AND 84<sup>th</sup> AVENUE SE WITH BUDGET TRANSFER (\$127,098 FROM THE ASP AVENUE PARKING LOT) TO STATE HIGHWAY 9 MULTIMODAL PATH DESIGN.

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-83 was Approved.

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13. CONSIDERATION OF APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-87: A PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT TAP3-8650(004)TP, STATE JOB 38650(04), TO PROVIDE TWO MILES OF MULTIMODAL PATH ALONG STATE HIGHWAY 9 BETWEEN 72<sup>nd</sup> AVENUE SE AND 84<sup>th</sup> AVENUE SE WITH BUDGET TRANSFER (\$242,500 FROM THE ASP AVENUE PARKING LOT) AND ADOPTION OF RESOLUTION R-2425-79.

Item 13, continued

Motion made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 8 Dixon.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-87 and Budget Transfer were Approved, and Resolution R-2425-79 was Adopted.

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14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF CHANGE ORDER ONE TO CONTRACT K-2324-142 BY AND BETWEEN NORMAN UTILITIES AUTHORITY AND SOUTHWEST WATER WORKS, L.L.C., DECREASING THE CONTRACT AMOUNT BY \$72,685.00, FOR A REVISED CONTRACT AMOUNT OF \$3,177,571.00, FOR THE PARSONS ADDITION WATERLINE REPLACEMENT - PHASE II; FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$152,565.75.

# **Acting as the Norman Utilities Authority**

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 8 Dixon.

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 2 Peacock, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Hinkle, Trustee Ward 7 Holman, Trustee Ward 8 Dixon

Change Order One, Final Acceptance and Final Payment of Contract K-2324-142 were Approved.

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#### Resolutions

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-78: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING \$825,000 FROM THE 2021 STREET MAINTENANCE GENERAL OBLIGATION BOND FUND BALANCE ACCOUNT TO THE 48<sup>TH</sup> AVE NW MAIN TO ROBINSON AND EAST INTERSTATE DRIVE ROBINSON TO ROCK CREEK; ADDING PROJECT LOCATIONS AS OUTLINED IN THE STAFF REPORT

This Item was withdrawn by Staff prior to the meeting starting.

#### NON-CONSENT ITEMS

# **Public Hearings**

16. PUBLIC HEARING REGARDING ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A GRANT IN THE AMOUNT OF \$46,776 TO THE CITY OF NORMAN, THE MOORE POLICE DEPARTMENT, AND THE CLEVELAND COUNTY SHERIFF'S OFFICE FROM THE UNITED STATES DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE (DOJ/BJA) THROUGH THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM WITH NORMAN'S PORTION OF \$30,205 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR ADVANCED SPECIALTY EQUIPMENT AND TRAINING (AND ASSOCIATED TRAVEL) AND SOFTWARE; CONTRACT NO. K-2425-91; AND BUDGET APPROPRIATION FROM THE SPECIAL GRANT FUND BALANCE AS OUTLINED IN THE STAFF REPORT.

Motion to Open the Public Hearing made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# The Public Hearing was Opened.

Participants in Discussion

Mr. Kevin Foster, Norman Chief of Police

Motion to Close the Public Hearing made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# The Public Hearing was Closed.

Motion to Accept the Grant and Approve the Contract and Budget Appropriation made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 1 Ball.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Grant was Accepted, Contract K-2425-91 and Budget Appropriation were Approved.

# **Second Reading Ordinance**

17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-17 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 36, ARTICLE V, ZONING, SECTION 36-535, HISTORIC DISTRICT COMMISSION REQUIREMENT; AMENDING THE APPLICATION REQUIREMENTS FOR CERTIFICATE OF APPROPRIATENESS; EDITS FOR CONSISTENCY OR CORRECTIVE PURPOSES; AND ALLOW HISTORIC PRESERVATION OFFICER TO GRANT TIME EXTENSION FOR CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion to Adopt Ordinance Upon Second Reading Section by Section made by Councilmember Ward 8 Dixon, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Participants in Discussion

1. Ms. Anais Starr, Planner II

Ordinance O-2425-17 was Adopted Upon Second Reading Section by Section.

Motion to Adopt Ordinance Upon Final Reading as a Whole made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-17 was Adopted Upon Final Reading as a Whole.

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18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE 0-2425-18 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN. OKLAHOMA. FIXING THE COMPENSATION OF THE CITY ATTORNEY CONSISTENT WITH **REQUIREMENTS** FOR THE CITY MANAGER'S COMPENSATION IN ARTICLE XVII, SECTION 1, OF THE CHARTER OF THE CITY OF NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Item 18, continued

Motion to Adopt Ordinance Upon Second Reading Section by Section made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

# Ordinance O-2425-18 was Adopted Upon Second Reading Section by Section.

Participants in Discussion

1. Ms. Mayumi Windler, Ward 2, asked a question

Motion to Adopt Ordinance Upon Final Reading as a Whole made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 2 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-18 was Adopted Upon Final Reading as a Whole.

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19. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, POSTPONEMENT AND/OR AMENDMENT OF CONTRACT K-2425-78: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, THE NORMAN UTILITIES AUTHORITY, THE NORMAN MUNICIPAL AUTHORITY, THE NORMAN TAX INCREMENT FINANCE AUTHORITY, AND THE NORMAN ECONOMIC DEVELOPMENT AUTHORITY AND RICKEY J. KNIGHTON II, SETTING FORTH THE TERMS AND CONDITIONS OF EMPLOYMENT AS CITY ATTORNEY.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Participants in Discussion

1. Mr. Evan Dunn, Ward 7, proponent

Contract K-2425-78 was Approved.

#### Item 1.

#### **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.

Open Records Requests. Ms. Mayumi Windler, Ward 2, mentioned the data that is given out with records request about Code violations and would like the City to help in removing some of that data to the public.

Inspiration. Mr. Evan Dunn, Ward 4, stated that he is inspired by the people that show up to the Council meetings.

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ADJOURNMENT		
The Meeting was Adjourned at 7:12 p.m.		
ATTEST:		
City Clerk	Mayor	



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, February 11, 2025 at 6:30 PM

# MINUTES

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, February 11, 2025 at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 call 405-366-5424, 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

Mayor Heikkila called the meeting to order at 6:30 p.m.

#### **ROLL CALL**

#### **PRESENT**

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Matthew Peacock

Councilmember Ward 3 Bree Montoya

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Josh Hinkle

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Scott Dixon

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Heikkila.

# **AWARDS AND PRESENTATIONS**

- PRESENTATION OF AWARDS FROM THE OKLAHOMA MUNICIPAL LEAGUE TO THE FOLLOWING CITY OF NORMAN EMPLOYEES WHO HAVE COMPLETED 25 YEARS OF CONTINUOUS SERVICE:
- 1. JUSTIN BURRIGHT, FIREFIGHTER, FIRE DEPARTMENT
- 2. GARY DAVENPORT, BATTALION CHIEF, FIRE DEPARTMENT
- 3. BRIAN EDWARDS, DRIVER/ENGINEER, FIRE DEPARTMENT
- 4. DERRICK ENOS, DRIVER/ENIGINEER, FIRE DEPARTMENT
- 5. DAVID FAUGHT, FIREFIGHTER, FIRE DEPARTMENT
- 6. JACK INGRAM, CAPTAIN, FIRE DEPARTMENT
- 7. BARRY MORING, CAPTAIN, FIRE DEPARTMENT
- 8. CHARLES LITTLETON, DRIVER/ENGINEER, FIRE DEPARTMENT
- 9. GREGORY SKELLY, ASSISTANT CHIEF, FIRE DEPARTMENT
- 10. MICHAEL BUSSELL, ASSISTANT CHIEF, FIRE DEPARTMENT
- 11. CRAIG ROBERTS, CAPTAIN, FIRE DEPARTMENT
- 12. RANDALL CARY, CAPTAIN, FIRE DEPARTMENT
- 13. RICK HOFFSTATTER, GIS ANALYST PLANNING
- 14. JAN JANSING, HOUSING REHABILITATION TECHNICIAN, PLANNING
- 15. LARRY ANDERSON, SERGEANT, POLICE DEPARTMENT
- 16. CURTIS GARRETT, SERGEANT, POLICE DEPARTMENT
- 17. SHAWN HAWKINS, CAPTAIN, POLICE DEPARTMENT
- 18. JUSTIN WISHON, LIEUTENANT, POLICE DEPARTMENT
- 19. BLAS FLORES, SERGEANT, POLICE DEPARTMENT
- 20. TROY ADAMS, HEAVY EQUIPMENT OPERATOR, PUBLIC WORKS
- 21. KEVIN DEAVER, MECHANIC II, PUBLIC WORKS
- 22. TOMMY HENDON, TRAFFIC TECHNICIAN, PUBLIC WORKS
- 23. JERRY JENNINGS, STORMWATER CREW CHIEF, PUBLIC WORKS
- 24. OTIS OLIPHANT, STREETS CREW CHIEF, PUBLIC WORKS
- 25. ALLEN SHELTON, HEAVY EQUIPMENT OPERATOR, PUBLIC WORKS
- 26. CHRISTOPHER WHITAKER, TRAFFIC CREW CHIEF, PUBLIC WORKS
- 27. JERRY TARVER, MAINTENANCE WORKER II, PUBLIC WORKS
- 28. HANS OSGOOD, STORMWATER SUPERVISOR, PUBLIC WORKS
- 29. ROBERT STROMAN, HEAVY EQUIPMENT OPERATOR, UTILITIES
- 30. DANIEL HAYNES, CONTAINER PROGRAM TECHNICIAN, UTILITIES
- 31. TIM WOOLINGTON, CREW CHIEF, UTILITIES
- 32. JERRY RATHER, HEAVY EQUIPMENT OPERATOR, UTILITIES

Mayor Larry Heikkila presented awards to Mr. Gary Davenport, Battalion Chief, Fire Department; Mr. Derrick Enos, Driver/Engineer, Fire Department; Sergeant Larry Anderson, Police Department; Ms. Jan Jansing, Housing Rehabilitation Technician, Planning and Community Development.

# **COUNCIL ANNOUNCEMENTS**

There were no 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 2 through Item 20 be placed on the consent docket.

Motion to place Item 2 through 20 on Consent Docket was made by Councilmember Ward 6 Hinkle, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Item 2 through 20 were placed on the Consent Docket.

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#### APPROVAL OF MINUTES

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

CITY COUNCIL SPECIAL MEETING MINUTES OF FEBRUARY 20, 2024.

CITY COUNCIL FINANCE COMMITTEE MEETING MINUTES OF JANUARY 16, 2025.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Minutes were Approved.

# First Reading Ordinance

3. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-10 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-567.1 ("RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS") TO CHAPTER 36 ("ZONING ORDINANCE"); AND AMENDING SECTIONS 36-521 ("RO, RESIDENCE-OFFICE DISTRICT"), 36-524 ("C-1, LOCAL COMMERCIAL DISTRICT"), 36-526 ("TC, TOURIST COMMERCIAL DISTRICT"), 36-527 ("CR, RURAL COMMERCIAL DISTRICT"), AND 36-560 ("SPECIAL USES") TO CHAPTER 36 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-10 was Adopted Upon First Reading by Title.

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4. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-11 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF ARTICLE V, CHAPTER 16; AMENDING SECTION 16-501 TO REFLECT CHANGES TO PURPOSE; AMENDING AND ADDING DEFINITIONS TO SECTION 16-502 FOR THE PURPOSES THEREOF; AMENDING SECTION 16-503 TO ADD PROHIBITED ACTIVITIES ON MUNICIPAL PROPERTY; MOVING SECTION 16-508 TO SECTION 16-504 AND THEREBY LEAVING SECTIONS 16-505 THROUGH 16-508 AS RESERVED FOR PURPOSES OF INTERAL CODE CONSISTENCY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-11 was Adopted Upon First Reading by Title.

Item 1.

5. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/O. POSTPONEMENT OR ORDINANCE O-2425-12 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELF-ACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-12 was Adopted Upon First Reading by Title.

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6. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-13 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE 2-III, DIVISION 2-III-17 DUTIES AND POWERS OF THE ANIMAL WELFARE OVERSIGHT COMMISSION.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-13 was Adopted Upon First Reading by Title.

Item 1.

7. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT. POSTPONEMENT OF ORDINANCE 0-2425-14 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA. AMENDING ARTICLE 2-III, DIVISION 2-III-1, SECTION 2-301 OF THE CODE OF THE CITY OF NORMAN INCREASING THE NUMBER OF PERSONS FOR THE BOARD OF ADJUSTMENT FROM FIVE TO SEVEN, AMENDING CITY PLANNING COMMISSION MEMBERSHIP TO REQUIRE A PERSON FROM EACH WARD AND ONE AT-LARGE PERSON, DECREASING THE TERMS OF PERSONS ON THE BOARD OF APPEALS FROM FOUR TO THREE YEAR TERMS, AND ADDING NORMAN ELECTION COMMISSION: SEVEN PERSONS WITH THREE-YEAR TERMS: AMENDING DIVISION 2-III-6. SECTION 3-216. ADDING OVERSIGHT OVER TREE PROTECTION TO THE BOARD OF PARK COMMISSIONERS AUTHORITY: REPEALING DIVISION 2-III-9, GREENBELT COMMISSION IN ITS ENTIRETY: REPEALING DIVISION 2-III-16. TREE BOARD IN ITS ENTIRETY; AMENDING ARTICLE 10-II, SECTION 10-201, NORMAN ELECTION COMMISSION, TO CHANGE A FIVE MEMBER COMMITTEE TO SEVEN; AND AMENDING ARTICLE 36-V-4. SECTION 36-570(A)(2) TO INCREASE THE CONCURRING VOTE REQUIRED FOR THE BOARD OF ADJUSTMENT FROM THREE TO FOUR MEMBERS.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-14 was Adopted Upon First Reading by Title.

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8. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-23 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 4-I. SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE: AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND UPDATING LANGUAGE THROUGHOUT FOR CONSISTENCY; DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM; REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN BEINGS; AMENDING SECTION 4-301(E) REQUIRING ACCREDITATION ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS: ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS; AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS; AMENDING SECTION 503(C). CONFINEMENT OF DOGS AND CATS; ADDING SECTION 4-510, COMMUNITY CATS: AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE NUISANCES.

Item 8, continued

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-23 was Adopted Upon First Reading by Title.

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9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-20 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FIVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, URBAN GENERAL FRONTAGE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (428 BUCHANAN AVENUE)

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-20 was Adopted Upon First Reading by Title.

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10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-21 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(a)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK FOURTH ADDITION OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)

Item 10, continued

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-21 was Adopted Upon First Reading by Title.

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11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-22 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1451 12<sup>TH</sup> AVENUE SOUTHEAST)

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-22 was Adopted Upon First Reading by Title.

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#### Request for Payment

12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A COURT ORDER: A RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE TOTAL AMOUNT OF \$35,742 REGARDING JERRY WILSON VS. THE CITY OF NORMAN, OKLAHOMA WORKERS' COMPENSATION COMMISSION CASE 2024-04699 W.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Recommendation was Approved for Workers' Compensation Commission Case 2024-04699 W.

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# **Conveyance of Deed**

13. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF THE CONVEYANCE OF TITLES FOR THE IRVING AND WHITTIER RECREATIONAL CENTERS FROM THE CITY OF NORMAN, OKLAHOMA, TO THE NORMAN PUBLIC SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE QUIT CLAIMS DEEDS FOR SUCH PURPOSE AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Authorizing the City Manager to Execute Quit Claim Deeds for the Irving and Whittier Recreational Centers was Approved.

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#### **Easement**

14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2425-12: A SANITARY SEWER EASEMENT DONATED BY THE OKLAHOMA ELECTRIC COOPERATIVE, SERVING 24<sup>TH</sup> AVENUE INDUSTRIAL PARK ADDITION, BLOCK 3, IN NORMAN, OKLAHOMA, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Easement E-2425-12 was Accepted and the filing thereof with the Cleveland County Clerk was directed.

Item 1.

15. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENL, AND/OR POSTPONEMENT OF EASEMENT E-2425-13: A SANITARY SEWER EASEMENT DONATED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA, SERVING BLOCK 14 OF THE FORMER NAVAL AIR TECHNICAL TRAINING CENTER (NATTC), IN NORMAN, OKLAHOMA, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Easement E-2425-13 was Accepted and the filing thereof with the Cleveland County Clerk was directed.

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# **Encroachment**

16. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONSENT TO ENCROACH EN-2324-6: FOR LOT 1B, BLOCK 8, WESTPORT PROFESSIONAL PARK, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, FOR HYUNDIA OF NORMAN. (591 North Interstate Drive)

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Encroachment EN-2324-6 for Lot 1B, Block 8, Westport Professional Park was Approved.

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#### **Contracts**

17. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-94: A SERVICE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN AND NORMAN ARTS COUNCIL, FOR THE 2025 ARTFUL INLETS PROJECT.

Item 17, continued

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-94 was Approved.

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18. CONSIDERATION OF ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AWARDING A GRANT IN THE AMOUNT OF \$1,000,000 THROUGH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PATHWAYS TO REMOVING OBSTACLES TO HOUSING GRANT PROGRAM TO BE USED TO UPDATE VARIOUS PLANS, CODES, ORDINANCES AND STUDIES TO REMOVE BARRIERS TO AFFORDABLE HOUSING, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE CONTRACT K-2425-98 AND RELATED GRANT DOCUMENTS, AND APPROVE THE APPROPRIATION OF FUNDS AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The grant through the United States Department of Housing Urban Development was Accepted, Contract K-2425-98 and Budget Appropriation were Approved.

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19. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-38: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN AND YFAC, LLC FOR THE TRAE YOUNG FAMILY FOUNDATION TO BE THE RETAIL PARTNER AND OPERATOR; AND ACCEPT THE IMPROVEMENTS, IN THE AMOUNT OF \$288,368.00, TO THE RETAIL SPACE INSIDE THE YOUNG FAMILY ATHLETIC CENTER, 2201 TRAE YOUNG DRIVE, NORMAN, OKLAHOMA.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Item 19, continued

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-38 was Approved.

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# Resolutions

20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-86: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$112,384 TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (O.D.O.T.) FOR CONSTRUCTION TO BEGIN ON THE NORMAN TRAFFIC MANAGEMENT CENTER PROJECT.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-86 was Adopted and Budget Appropriation was Accepted.

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#### **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 <u>Council as a whole</u> and limited to <u>three minutes or less</u>.

Mr. Floyd Carroll, Ward 4, said his grandchildren were not safe to play on the sidewalk on east Main Street due to the crime and vagrant activity.

#### **ADJOURNMENT**

The Meeting was Adjourned at 6:40 p.m.	
ATTEST:	
City Clerk	



## CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069 Tuesday, January 28, 2025 at 6:30 PM

#### **MINUTES**

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers in the Municipal Building, on Tuesday, January 28, 2025 at 6:30 PM, and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

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 call 405-366-5424, 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

Mayor Heikkila called the Meeting or Order at 6:30 p.m.

#### **ROLL CALL**

**PRESENT** 

Mayor Larry Heikkila

Councilmember Ward 1 Austin Ball

Councilmember Ward 2 Matthew Peacock

Councilmember Ward 3 Bree Montova

Councilmember Ward 4 Helen Grant

Councilmember Ward 5 Michael Nash

Councilmember Ward 6 Josh Hinkle

Councilmember Ward 7 Stephen Holman

Councilmember Ward 8 Scott Dixon

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Heikkila and member of the Boy Scouts of America.

#### **PROCLAMATIONS**

1. CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PROCLAMATION P-2425-15: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF FEBRUARY, 2025, AS BLACK HISTORY MONTH IN THE CITY OF NORMAN.

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

Participants in Discussion:

1. Dr. George Henderson and Mrs. Barbara Henderson accepted the proclamation and thanked the Council.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Proclamation P-2425-15 was Acknowledged.

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#### COUNCIL ANNOUNCEMENTS

<u>Thank Yous</u>. Councilmembers Holman, Hinkle, Grant and Mayor Heikkila all thanked Dr. Henderson for his efforts over the last 70 years.

Councilmember Holman thanked the Police Department for apprehending a suspect without any injuries to innocent bystanders or Officers.

<u>Police Academy Graduation</u>. Councilmember Holman reminded residents about the Norman Police Academy Graduation on Thursday, January 30th, 2025.

<u>Community Planning and Transportation Committee (CPTC)</u>. Councilmember Holman spoke about the items that were discussed in the CPTC meeting last Thursday.

<u>Elections</u>. Councilmember Holman reminded residents about voting in the upcoming elections on February 11, 2025, and Candidate Forums.

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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 2 through Item 17 be placed on the consent docket.

Motion to place Item 2 through 17 on the Consent Docket was made by Councilmember Ward 7 Holman, Seconded by Councilmember Ward 6 Hinkle.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Item 2 through 17 was placed on the Consent Docket.

#### **APPROVAL OF MINUTES**

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

CITY COUNCIL OVERSIGHT MEETING MINUTES OF SEPTEMBER 12, 2024 AND DECEMBER 12, 2024.

CITY COUNCIL CONFERENCE MEETING MINUTES OF FEBRUARY 13, 2024.

CITY COUNCIL RETREAT MEETING MINUTES OF AUGUST 30-31, 2024.

CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTORITY, NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING MINUTES OF JUNE 13, 2023, JANUARY 9, 2024, JANUARY 23, 2024 AND FEBRUARY 13, 2024.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Minutes were Approved.

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#### **Reports/Communications**

 CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF DECEMBER 31, 2024, AND DIRECTING THE FILING THEREOF.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Receipt of the Finance Director's Investment Report was Acknowledged.

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4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF NOVEMBER AND DECEMBER, 2024.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

#### Receipt of the Monthly Departmental Reports was Acknowledged.

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5. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.

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

Item 5, continued

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The Equipment and Materials were Declared Surplus and/or Obsolete and the Disposal thereof was Authorized.

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 CONSIDERATION OF ACKNOWLEDGEMENT, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE NORMAN FORWARD FINANCIAL OVERSIGHT BOARD ANNUAL REPORT FROM APRIL 1, 2023, THROUGH DECEMBER 31, 2024.

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

Participants in Discussion:

 Mr. Andy Rieger, Chairman of the NORMAN FORWARD Citizens Financial Oversight Board

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Receipt of the Norman Forward Financial Oversight Board Annual Report was Acknowledged.

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#### **Donation**

7. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE DONATION THEREOF TO THE CITY OF LEXINGTON, OKLAHOMA, ANIMAL SHELTER.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

The donation was Accepted.

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#### **Settlements**

8. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-85: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF THE CLAIM FILED BY JOSHUA L. RAYBURN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF JOSHUA L. RAYBURN V. THE CITY OF NORMAN, WORKERS' COMPENSATION COMMISSION CASE 2023-00845 J; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COMMISSION, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COMMISSION JUDGMENT FROM THE RISK MANAGEMENT INSURANCE FUND.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-85 was Adopted.

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#### **Certificate of Survey**

9. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF NORMAN RURAL CERTIFICATE OF SURVEY COS-2425-7 FOR OAK HILL RANCH PHASE 2 AND EASEMENT NUMBER E-2425-10 (GENERALLY LOCATED 1300' WEST OF 108<sup>TH</sup> AVENUE S.E. ON THE NORTH SIDE OF ETOWAH ROAD).

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Norman Rural Certificate of Survey for Oak Hill Ranch Phase 2 was Approved, Easement E-2425-10 was Accepted, and the filing thereof with the Cleveland County Clerk was directed.

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#### **Easement**

10. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2425-14: A PERMANENT UTILITY EASEMENT GRANTED BY THE CITY OF NORMAN TO OKLAHOMA GAS AND ELECTRIC COMPANY AT REAVES PARK AND BUDGET APPROPRIATION.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Easement E-2425-14 was Granted.

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#### **Certificate of Plat Correction**

11. CONSIDERATION FOR APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CERTIFICATE OF PLAT CORRECTION CPC-2425-1 FOR SUMMIT LAKES ADDITION SECTION 12.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Certificate of Plat Correction for Summit Lakes Addition Section 12 was Approved.

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#### **Contracts**

12. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER THREE TO CONTRACT K-2223-33: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND L5 CONSTRUCTION, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$56,031 FOR A REVISED CONTRACT AMOUNT OF \$2,365,923 FOR VARIOUS CHANGES TO PROJECT DESIGN, AND UNFORSEEN SITE CONDITIONS AT THE NORTH BASE PHASE 2 VEHICLE WASH FACILITY PROJECT AND BUDGET TRANSFERS AS OUTLINED IN THE STAFF REPORT.

Item 12, continued

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Change Order Three to Contract K-2223-33 and Budget Transfers were Approved.

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13. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2425-6: AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY (COTPA) D/B/A EMBARK IN THE AMOUNT OF \$35,221.76 FOR A NOTTO-EXCEED AMOUNT OF \$4,575,071.93 TO PROVIDE SECURITY SERVICES AT THE NORMAN TRANSIT CENTER AND CONTRACT LANGUAGE MODIFICATION DUE TO THE OPENING OF THE CITY'S VEHICLE WASH FACILITY.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Amendment One to Contract K-2425-6 was Approved.

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14. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-36: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GOOGLE, L.L.C., TO RECEIVE \$500,000 IN GRANT FUNDING FROM GOOGLE FOR THE WATER RECLAMATION FACILITY (WRF) NON-POTABLE REUSE AND APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

#### **Acting as the Norman Utilities Authority**

Motion made by Trustee Ward 7 Holman, Seconded by Trustee Ward 4 Grant.

Voting Yea: Chairman Heikkila, Trustee Ward 1 Ball, Trustee Ward 2 Peacock, Trustee Ward 3 Montoya, Trustee Ward 4 Grant, Trustee Ward 5 Nash, Trustee Ward 6 Hinkle, Trustee Ward 7 Holman, Trustee Ward 8 Dixon

Contract K-2425-36 was Approved.

Item 1.

15. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/C-POSTPONEMENT OF CONTRACT K-2425-90: AN AGREEMENT BETWEEN BNSF RAILWAY COMPANY AND THE CITY OF NORMAN, OKLAHOMA FOR THE CONSTRUCTION OF SIGNAL **EQUIPMENT** INTERFACE AND **PAVING IMPROVEMENTS** FOR THE RAILROAD CROSSING AT MAIN STREET ASSOCIATED WITH THE JAMES GARNER PHASE 3 - ACRES STREET TO DUFFY STREET 2019 BOND PROJECT.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Contract K-2425-90 was Approved.

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#### Resolutions

16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT. AND/OR POSTPONEMENT OF RESOLUTION R-2425-80: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$44,890.36 FROM THE REIMBURSEMENTS-CITIZEN SIDEWALK ACCOUNT TO REPLENISH THE CITYWIDE SIDEWALK AND CURB RECONSTRUCTION PROJECT ("50/50 PROGRAM.")

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Resolution R-2425-80 was Adopted.

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#### **Second Reading Ordinance**

17. CONSIDERATION OF ADOPTION. REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN. OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2. RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN. CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE SOUTHEAST) APPLICANT REQUESTED TO POSTPONE UNTIL FEBRUARY 25. 2025.

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant. Councilmember Ward 5 Nash, Councilmember Ward 6 Hinkle, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Ordinance O-2425-15 was Postponed until February 25, 2025.

#### NON-CONSENT ITEMS

#### **Preliminary Plats**

18. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF PP-2425-5 PRELIMINARY PLAT FOR 12TH AVENUE NW INDUSTRIAL (GENERALLY LOCATED ON THE WEST SIDE OF 12TH AVENUE N.W. APPROXIMATELY ONE-HALF MILE NORTH OF ROCK CREEK ROAD).

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

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant. Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Abstain: Councilmember Ward 6 Hinkle

Item 18, continued

Motion made by Councilmember Ward 2 Peacock, Seconded by Councilmember Ward 4 Grant.

#### Participants in Discussion:

- 1. Mr. Jason Spencer, Blew and Associates, Representative of the Applicant
- 2. Mr. Dianna Hutzel, Ward 5, proponent
- 3. Mr. Ben Plummer, Ward 4, asked questions
- 4. Mr. Dan Munson, Ward 6, proponent
- 5. Mr. Scott Sturtz, Public Works Director

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Peacock, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Dixon

Abstain: Councilmember Ward 6 Hinkle

The Preliminary Plat for 12th Avenue NW Industrial was Approved.

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#### 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 <u>Council as a whole</u> and limited to <u>three minutes or less</u>.

<u>Crime Statistics.</u> Ms. Dianna Hutzel, Ward 5, expressed her concern about the continued rise in crime over the last two years and how that compares to the number of homeless committing crimes.

\*

<u>Central Norman Zoning Overlay District.</u> Mr. Ben Plummer, Ward 4, spoke about his proposed language change CNZOD and solar energy as an allowable use in property zoned A-2.

\*

<u>Cultural Unity Parade.</u> Mr. Richard Baxter, non-resident, spoke about his business Racism Stinks and the efforts being made to host the first Cultural Unity Parade in Norman. He spoke about partnering with Norman Police Department.

\*

<u>2028 Olympics</u>. Mr. Dan Munson, Ward 6, spoke about the upcoming Olympics and felt Norman should consider becoming a host City and to fund the activities he would like to see the City allocate \$150,000 from the Guest Tax per year for the next three years.

\*

Miscellaneous Comments, continued

Thanked Police Department. Mr. Floyd Carrol, Ward 4, thanked the Police Department for managing the 600 block of east Main Street so his grandkids can ride their bicycles on the sidewalk and feel safe.

Farmers Market. Mr. Evan Dunn, Ward 7, reminded residents about the Farmers Market on Saturday, February 1, 2025.

The Well. Mr. Evan Dunn, Ward 7, spoke about various classes he is offering at the Well.

AD.	IOI	IRI	MV	FN	T

The	Meeting	Adjourned	at	7:33	p.m.
		, imje mi i i e m			P

ATTEST:

City Clerk	Mayor	

#### File Attachments for Item:

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF TYIREE HYATT IN THE AMOUNT OF \$75,000 TO RESOLVE HIS TORT CLAIM FILED SEPTEMBER 5, 2024.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** AshLynn Wilkerson, Assistant City Attorney

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR

POSTPONEMENT OF RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF TYIREE HYATT IN THE AMOUNT OF \$75,000 TO RESOLVE HIS TORT

CLAIM FILED SEPTEMBER 5, 2024.

#### **BACKGROUND:**

A claim was filed by Tyiree Hyatt, through his legal counsel James Biscone, for personal injury damages, for an initial demand of an amount in excess of \$75,000.00, resulting from an automobile accident with a City semi-truck at W State Highway 9 and 24<sup>th</sup> Ave. SW on the morning of June 28, 2024.

#### **DISCUSSION:**

City Attorney staff discussed the merits of this claim and potential settlement during an executive session held on January 28, 2025. The settlement offer is within the range discussed with Council in Executive Session.

Following Council approval of the settlement, a friendly suit will be initiated in the Cleveland County District Court so that the settlement may be reduced to a judgment to allow for it to be placed on the property tax rolls and paid over three years, as described in further detail below.

#### **RECOMMENDATION:**

It is believed that the proposed settlement is fair, reasonable and in the best interests of the City. It is recommended the settlement of this matter be approved by City Council and that this office be directed to reduce the settlement amount to judgment in accordance with 51 O.S. §159, and 62 O.S. §362. The settlement amount will then be placed on the property tax rolls for collection over the next three years. Under this process, one- third of the judgment amount plus interest at the statutory rate on the unpaid balance is collected through property tax roll assessments over that time period. This statutorily allowed procedure for payment of judgments against a municipality will minimize the impact of the settlement on City funds.

#### File Attachments for Item:

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

#### **BOARD OF APPEALS**

TERM: 02-25-25 TO 02-03-29: TYLER MCMANAMAN, WARD 2

TERM: 02-25-25 TO 02-03-29: ALEX LANPHERE, WARD 2

#### PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 02-25-25 TO 02-10-28: LINDA PRICE, WARD 1

TERM: 02-25-25 TO 02-10-28: ASHLIE DURHAM, WARD 7

TERM: 02-25-25 TO 02-10-28: KYLE HURLEY, AT LARGE

#### NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD

TERM: 02-25-25 TO 12-22-27: ERIK PAULSON WARD 2

TERM: 02-25-25 TO 12-22-27: ANDY RIEGER, WARD 4

TERM: 02-25-25 TO 12-22-27: LINDA PRICE, WARD 1

#### SOCIAL AND VOLUNTARY SERVICES COMMISSION

TERM: 02-25-25 TO 12-09-27: ANN WAY, WARD 1

TERM: 02-25-25 TO 12-09-27: KAY CRITSER, WARD 6

TERM: 02-25-25 TO 12-09-27: FALLON BURLESON, WARD 7



### CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Brenda Hall

PRESENTER: Brenda Hall, City Clerk

CONSIDERATION ACKNOWLEDGEMENT. OF APPROVAL, **ITEM TITLE:** 

REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE

MAYOR'S APPOINTMENTS AS FOLLOWS:

**BOARD OF APPEALS** 

TERM: 02-25-25 TO 02-03-29: TYLER MCMANAMAN, WARD 2 TERM: 02-25-25 TO 02-03-29: ALEX LANPHERE, WARD 2

PUBLIC SAFETY OVERSIGHT COMMITTEE

TERM: 02-25-25 TO 02-10-28: LINDA PRICE, WARD 1 TERM: 02-25-25 TO 02-10-28: ASHLIE DURHAM, WARD 7 TERM: 02-25-25 TO 02-10-28: KYLE HURLEY, AT LARGE

NORMAN FORWARD CITIZENS FINANCIAL OVERSIGHT BOARD

TERM: 02-25-25 TO 12-22-27: ERIK PAULSON WARD 2 TERM: 02-25-25 TO 12-22-27: ANDY RIEGER, WARD 4 TERM: 02-25-25 TO 12-22-27: LINDA PRICE, WARD 1

SOCIAL AND VOLUNTARY SERVICES COMMISSION TERM: 02-25-25 TO 12-09-27: ANN WAY, WARD 1 TERM: 02-25-25 TO 12-09-27: KAY CRITSER, WARD 6

TERM: 02-25-25 TO 12-09-27: FALLON BURLESON, WARD 7

Kay Critser will replace Trudy Sickles who resigned. Fallon Burleson will replace Kevin Woodfork who is no longer eligible to serve. Tyler McManaman, Alex Lanphere, Linda Price, Ashlie Durham, Kyle Hurley, Erik Paulson, Andy Rieger, and Ann Way are reappointments.

#### File Attachments for Item:

4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2025, AND DIRECTING THE FILING THEREOF.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Anthony Francisco, Director of Finance

**PRESENTER:** Anthony Francisco, Director of Finance

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL,

ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JANUARY 31, 2025, AND DIRECTING

THE FILING THEREOF.

DATE

February 5, 2025

TO:

City Council

FROM: REVIEWED BY: PREPARED BY:

Anthony Francisco, Director of Finance
Clint Mercer, Chief Accountant
Debbie Whitaker, Municipal Accountabit

SUBJECT:

Finance Director's Investment Report

		MONTHLY COMPARISON						ANNUAL CO	MPARISON	
EUND	MONTHLY BUDGETED INTEREST EARNINGS EYE25	MONTHLY INTEREST EARNINGS January 2025	MONTHLY INCREASE (DECREASE)	MONTHLY INTEREST % OF PORTFOLIO HOLDINGS	MONTH-END BALANCE January 2025	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS EYE25-YTD	INTEREST EARNINGS YTD FYE25	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	\$16,423	\$38,094	131.95%	5.01%	7,401,412	3.29%	\$96,607	\$310,495	221.40%	5.58%
NET REVENUE STABILIZATION	\$4,167	\$19,082	357.96%	2.51%	4,607,784	2.05%	\$25,000	\$134,094	436.37%	2.41%
PUBLIC SAFETY SALES TAX FUND	\$4,167	\$8,049	93,18%	1.06%	(105,123)	-0.05%	\$25,000	\$65,264	161.06%	1.17%
HOUSING	N/A	\$471	100.00%	0.06%	3,094,326	1.37%	N/A	\$3,710	100.00%	0.07%
SPECIAL GRANTS FUND	N/A	\$24,953	100.00%	3.28%	17,727,505	7.87%	N/A	\$210,821	100.00%	3.79%
ROOM TAX FUND	\$208	\$4,205	1918.52%	0.55%	1,100,523	0.49%	\$1,250	\$28,542	2183.36%	0.51%
YFAC FUND	\$0	\$0	0.00%	0.00%	(377,018)	-0.17%	\$0	so	0.00%	0.00%
SEIZURES	\$42	\$5,919	14106.08%	0.78%	1,557,294	0.69%	\$250	\$51,379	20451.70%	0.92%
CLEET FUND	N/A	\$0	100.00%	0.00%	(5,743)	0.00%	N/A	\$0	100.00%	0.00%
TRANSIT & PARKING FUND	\$0	\$1,420	0.00%	0.19%	74,726	0.03%	\$0	\$37,442	0.00%	0.67%
ART IN PUBLIC PLACES FUND	N/A	\$8	100.00%	0.00%	2,103	0.00%	N/A	\$45	100.00%	0.00%
WESTWOOD FUND	\$625	\$73	-88.24%	0.01%	927,810	0.41%	\$3,750	\$11,826	215.35%	0.21%
WATER FUND	\$10,000	\$169,833	1598.33%	22.35%	42,476,381	18.87%	\$60,000	\$1,193,934	1889.89%	21.45%
WASTEWATER FUND	\$4,167	\$26,264	530.34%	3.46%	6,388,351	2.84%	\$25,000	\$206,627	726.51%	3.71%
SEWER MAINTENANCE FUND	N/A	\$69,388	100.00%	9.13%	16,821,166	7.47%	N/A	\$497,093	100.00%	8.93%
DEVELOPMENT EXCISE	\$5,833	\$10,156	74.11%	1.34%	2,855,902	1.27%	\$35,000	\$83,519	138.62%	1.50%
SANITATION FUND	\$25,000	\$39,986	59.95%	5.26%	9,601,990	4.26%	\$150,000	\$286,064	90.71%	5.14%
RISK MANAGEMENT FUND	N/A	\$2,332	100.00%	0.31%	529,853	0.24%	N/A	\$58,231	100.00%	1.05%
CAPITAL PROJECTS FUND	\$58,333	\$185,220	217.52%	24.38%	72,518,410	32.21%	\$350,000	\$1,532,704	337.92%	27.53%
NORMAN FORWARD SALES TAX	\$1,250	\$26,782	2042.57%	3.52%	3,694,937	1.64%	\$7,500	\$154,622	1961,62%	2.78%
PARKLAND FUND	\$833	\$3,312	297.42%	0.44%	808,166	0.36%	\$5,000	\$23,467	369.33%	0.42%
UNP TAX INCREMENT DISTRICT	\$2,000	\$39,456	1872.82%	5.19%	8,150,444	3.52%	\$120,000	\$271,581	126.32%	4.88%
CENTER CITY TAX INCREMENT DIST	\$167	\$16,576	0.00%	2.18%	4,871,519	2.16%	N/A	\$115,518	100.00%	2.08%
SINKING FUND	\$2,083	\$63,496	2947,83%	8.36%	19,287,843	B.57%	\$12,500	\$256,225	1949.80%	4.60%
SITE IMPROVEMENT FUND	N/A	\$213	100.00%	0.03%	51,454	0.02%	N/A	\$1,497	100.00%	0.03%
TRUST & AGENCY FUNDS	N/A	\$42	100.00%	0.01%	10,023	0.00%	N/A	\$292	100.00%	0 01%
ARTERIAL ROAD FUND	N/A	\$4,472	100.00%	0.59%	1,079,959	0.48%	N/A	\$31,429	100.00%	0.56%
	\$135,298	\$759.803	461.58%	100.00%	225,151,795	100.00%	\$916.857	\$5,566,419	507.12%	100.00%
								00,000,418	557, 12.70	150.0070

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of \$225.15 million, as of 01/31/25 are represented by working capital cash balances of all City funds of approximately \$90.1 million, outstanding encumbrances of \$56.54 million, General Obligation Bond proceeds of \$59.6 million, NUA revenue bond proceeds of \$7.53 million, NMA bond proceeds of \$3.68 million, and UNP TIF reserve amounts of \$7.7 million.

#### INVESTMENT BY TYPE

			January 31, 2	2025			
LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	<u>EARNED</u> INTEREST	COST	MARKET
**Checking							
BANK OF OKLAHOMA **Subtotal	GEN'L DEP. WARRANTS P. PAYROLL COURT BOND INSURANCE C LOCK BOX RETURN CHEC PARKS FLEXIBLE SPE CDBG-CV	REFUNDS LAIMS		2.63%	\$37,420.24 \$470.81 \$37,891.05	\$14,019,486.56 (\$1,380,754.65) (\$5,572,047.44) (\$218,118.40 (\$308,570.65) \$1,370,233.49 (\$5,743.10) \$0.00 (\$25,608.99) \$213,678.00 \$8,528,791.62	\$14,019,486,56 (\$1,380,754,65) (\$5,572,047,44) \$218,118,40 (\$308,570,65) \$1,370,233,49 (\$5,743,10) \$0,00 (\$25,608,99) \$213,678,00 \$8,528,791,62
**Money Market							
BANCFIRST-NUA BANCFIRST-NMA ROOM Tax BANCFIRST-NUA Water BANCFIRST-NUA Clean Water BANCFIRST-NUA Clean Water BANCFIRST-NMA PSST BANKOF OKLAHOMA UNP TIF BANK OF OKLAHOMA Westwood BANK OF OKLAHOMA-CW BANK OF OKLAHOMA BANK OF OKLAHOMA-SW BANK OF OKLAHOMA-Dpiold Abt BANK OF OKLAHOMA-Misty Lake BANK OF OKLAHOMA-2023A BANK OF OKLAHOMA-2023B BANK OF OKLAHOMA-2021 BANK OF OKLAHOMA-2021 BANK OF OKLAHOMA-2024A **Subtotal	MONEY MKT.			4.86% 4.86% 4.58% 4.58% 4.58% 4.77% 2.65% 2.65% 2.65% 2.65% 2.65% 2.65% 2.65% 2.65% 2.65% 2.65% 2.65%	\$1,216.61 \$336.89 \$17,677.24 \$1,053.37 \$8,049.00 \$13,681.51 \$39,456.33 \$22,076.07 \$73.49 \$29.09 \$121.24 \$638.45 \$0.41 \$2,755.59 \$1,393.63 \$56,411.57 \$31,711.08 \$9,817.31 \$32,383.77	\$802,384.32 \$180,837.24 \$6,041,169.41 \$683,642.42 \$2,601,028.31 \$895,988.21 \$7,692,099.01 \$10,010,040.18 \$0.00 \$13,201.16 \$59,813.18 \$289,762.07 \$187.99 \$1,221,523.32 \$632,502.77 \$26,208,023.44 \$14,392,082.12 \$4,442,360.48 \$14,558,752.61	\$802,384.32 \$180,837.24 \$6,041,169.41 \$683,642.42 \$2,601,028.31 \$895,988.21 \$7,692,099.01 \$10,010,040.18 \$0.00 \$13,201.16 \$59,813.18 \$289,762.07 \$187.99 \$1,221,523.32 \$632,502.77 \$26,208,023.44 \$14,392,082.12 \$4,442,360.48 \$14,558,752.61
GOLDMAN SACHS	GOVT SELECT	4007				<u></u>	
BANK OF OKLAHOMA PORTFOLIO	SHORT TERM	1237		4.52% 4.38%	\$2,770.52 \$388,789.89	\$736,675,97 \$106,660,929.48	\$736,675.97 \$106,660,929.48
**Certificate of Deposit							
FIRST FIDELITY BANK GREAT NATIONS BANK VALLIANCE BANK FIRST NATIONAL BANK **Subtotal	CD CD CD	09/30/24 09/30/24 11/30/24 12/28/23	03/31/25 09/30/25 11/30/25 12/28/24	2,97% 4.22% 4.15% 3.15%	\$618.75 \$879.17 \$864.58 \$656.25 \$3,018.75	\$250,000.00 \$250,000.00 \$250,000.00 \$250,000.00 \$1,000,000.00	\$250,000 00 \$250,000 00 \$250,000 00 \$250,000 00 \$1,000,000 00
**U.S. Treasury Securities/Agency Se	curities						
US T-STRIPS TVA Note FFCB **Subtotal	912833LU2 880591CJ9 3133ERP96	08/31/22 08/31/23 12/31/24	02/15/25 11/01/25 09/24/26	3.38% 4.89% 4.24%	20,441.38 41,520.11 26,488.92 88,450.41	7,500,000.00 10,000,000.00 7,500,000.00	\$7,489,575 00 \$10,164,700.00 \$7,501,200.00 \$17,654,275.00
"TOTAL"					759,803.27	225,151,795.31	\$224,569,394,34

The Governmental Accounting Standards Board requires the reporting of market values of investment securities. These market values represent the amount of money the security would sell for on the open market, if cash flow demands were such that the security had to be sold. The City of Norman purchases investment securities with the intent of holding them to maturity, as stated in the City's Investment Policy. Only in exceptional circumstances would securities be sold before their maturity, due to cash flow demands or favorable market conditions.

#### File Attachments for Item:

5. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORT FOR THE MONTH OF JANUARY 2025.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Stacey Parker, Executive Assistant

**PRESENTER:** Stacey Parker, Executive Assistant

ITEM TITLE: CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL,

ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MONTHLY DEPARTMENTAL REPORT FOR THE MONTH OF

JANUARY 2025.

# City of Norman



# Monthly Departmental Report

January 2025

## MONTHLY PROGRESS

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## CITY CLERK 1

## CITY CLERK

## MONTHLY PROGRESS REPORT January 2025

ACTION CENTER							
DEPARTMENT	CALLS	CALLS YTD	ADDITIONAL CONTACTS	ADDITIONAL CONTACTS YTD			
Animal Welfare	12	90	0	2			
Bus Service	0	0	0	0			
CDBG	3	5	0	1			
City Clerk	35	335	0	4			
City Manager/Mayor	4	27	2	4			
City Wide Garage Sale	0	0	0	0			
Code Enforcement	19	249	1	21			
Finance	0	6	0	0			
Fire/Civil Defense	4	26	0	4			
Human Resources	5	44	0	2			
I.T.	3	20	0	2			
Legal	2	36	0	1			
Line Maintenance	21	170	3	8			
Municipal Court	4	31	0	2			
Noise Complaint	0	0	0	2			
Norman Forward Questions	0	0	0	2			
Outreach	1	38	0	1			
Parks & Recreation	22	178	0	7			
Permits/Inspections	67	421	5	7			
Planning	13	80	1	2			
Police/Parking	19	267	1	5			
Public Works	13	111	0	3			
Recycling	1	3	0	0			
Sanitation	61	359	2	16			
Sidewalks	0	6	0	3			
Storm Debris	0	0	0	0			
Storm Water	4	66	0	7			
Streets	20	190	0	6			
Streets Lights	3	108	0	12			
Traffic	7	108	0	5			
Utilities	47	271	2	11			
WC Questions	0	0	0	0			
WC Violations	0	0	0	2			
January 2025 Total:	390	3240	7	142			

#### **LICENSES**

Six New licenses were issued during the month of November. Following is a list of each license type and the number issued for that specific type:

LICENSE TYPE	NUMBER	FYE -	LICENSE TYPE	NUMBER	FYE
	ISSUED	YTD		ISSUED	YTD
Bee Keeper	0	0	Retail Beer	0	2
Brewer	0	0	Retail Spirits Store	0	1
Coin-Operated Devices	0	6	Retail Wine	0	2
Distiller	0	0	Salvage Yard	0	0
Food	3	39	Sidewalk Dining	0	1
Game Machines	0	0	Solicitor/Peddler (30 day)	0	4
Impoundment Yard	0	0	Solicitor/Peddler (60 day)	0	3
Kennel	1	3	Solicitor/Peddler (one day)	0	0
Medical Marijuana Dispensary	1	8	Special Event	0	0
Medical Marijuana Grower	0	3	Strong Beer & Wine/Winemaker	0	1
Medical Marijuana Processor	1	2	Taxi/Motorbus/Limousine	0	2
Medical Marijuana Testing Laboratory	0	0			
Mixed Beverage	0	1	Temp Food (one day)	1	4
Mixed Beverage/Caterer	0	12	Temp Food (30 day)	0	15
Pawnbroker	0	0	Temp Food (180 day)	2	11
Pedi cab	0	7	Transient Amusement	0	0
YTD License Total:	6	81		3	46

	NEW ESTABLISHMENT LICEN	ISES
NAME	ADDRESS	LICENSE TYPE(S)
Buddies Cannabis Co., LLC	1224 Alameda Street, Norman, OK	Medical Marijuana Dispensary
Anderson Commercial Kennel	5620 N Blue Lake Drive	Kennel (Commercial)
Pharside, LLC	1304 Lindsey Plaza Drive	Medical Marijuana Processor

	SOLICITOR/PEDDLER LICEN	SE
60 DAY	30 DAY	1 DAY

TEMPORARY FOOD PERMITS					
180 DAY 30 DA	Y 1 DAY				
Mac Daddy Spud, LLC					
Viva Markets, LLC					
	The Fried Taco				

## **LAW SUITS FILED**

DATE FILED	NAME	JUSTIFICATION	AMOUNT	
		Claimant alleges, City of Norman violated the open meetings act, when a motion, made by the Mayor and approved by a majority vote of the council, sent their rezoning application back to the Planning Commission.		
01-10-25	Geoffrey Arce Kristin Arce	Claimant alleges, the City Council Agenda stated the application was set for "Consideration of approval acceptance, rejection, amendment and/or postponement," but did not specify "send the application back to the Planning Commission", violating the Oklahoma Open Meeting Act.		
		Claimant alleges the action resulted in delays, additional costs, and significant financial harm to them.		

#### **CLAIMS FILED**

DATE FILED	NAME	JUSTIFICATION	AMO	UNT
01-03-25	Helen M. Todd	Claimant alleges, on December 23, 2024, Norman Police Department Officer Haley responded to a wellness check call at 1600 E. Imhoff Road, Norman. Claimant alleges that when she did not hear the doorbell or other attempts to wake her, the officer broke a tempered glass storm window on a screen door to gain entrance to the house.	\$	79.93
01-06-25	Haley Stapleton	Claimant alleges, on January 5, 2024, she was going to work, driving on Boyd Street in the left lane and drove over an unmarked pot hole which busted her front passenger tire.	\$	215.94
01-13-25	Stormie Antonvcci	Claimant alleges, on January 13, 2024, Civil Department put her in the wrong courtroom causing undue financial hardship. Claimant filed complaint with County Clerk and Court Clerk for investigation.	\$	1,800.00
01-16-25	OG&E	Claimant alleges, on or about March 22, 2024, the City of Norman was doing work that caused damage to OG&E facilities at 3401 36 <sup>th</sup> Avenue NW, Norman, OK.	\$	5,059.55
01-21-25	Karen D. McCarthy	Claimant alleges, on January 9, 2025, while driving on Webster, a City of Norman pickup driven by employee Miles Cotton, pulled out of the parking lot onto the street and hit the drivers rear side of her car.	\$	4,975.11
01-24-25	Patrick Ross	Claimant alleges, on January 2, 2025, a City of Norman crew was working on a water line leak and demolished his brick mailbox which needs rebuilding.	\$	2,400.00

#### **BUSINESS AND COMMUNITY AFFAIRS COMMITTEE**

On January 2, 2025, the Business and Community Affairs Committee met to continue discussion regarding the creation of a Tax Increment Finance (TIF) Master Plan and to discuss the expansion of the Central Norman Zoning Overlay District.

#### STUDY SESSION

On January 7, 2025, City Council met in a Study Session for an update on the AIM Norman Comprehensive Plan – Parks Master Plan and to discuss facility repairs and ownership of the Whittier Recreation Center.

On January 21, 2025, City Council met in a Study Session for an update on the AIM Norman Comprehensive Plan – Water and Wastewater Master Plan.

#### **CONFERENCE**

On January 14, 2025, the City Council met in a Conference to discuss the Central Oklahoma Long Range Transit Plan and a Litter Crew and Wrap Around Services update.

#### FINANCE COMMITTEE

On January 16, 2025, the Finance Committee met to discuss the Mid-Year Budget Review, the condition and ownership of the Whittier and Irving Recreation Centers, and the Monthly Revenue and Expenditure Reports.

#### **COMMUNITY PLANNING & TRANSPORTATION COMMITTEE**

On January 23, 2025, the Community Planning and Transportation Committee met for a presentation of the November and December Public Transit Reports, discussion regarding minimum lot sizes, and traffic calming on 48<sup>th</sup> Avenue N.W.

#### **SPECIAL MEETING**

On January 28, 2025, the City Council met in a special meeting to discuss the possible sale and/or development of real property in the 100 block of West Gray Street and to consider adjourning into an Executive Session to discuss a pending tort claim submitted by Tyiree Hyatt.

## CITY MANAGER 2

No reports are being generated for the Monthly Department Report from the City Manager's Office, as of Jan 2023.

## FINANCE 3

#### **CITY OF NORMAN**

#### Department of Finance Monthly Report – January 2025

Statistics on outputs from the various divisions of the Department of Finance (DOF) are presented on the following pages. Major projects that were completed or initiated by the DOF in January are discussed below:

#### Treasury Division:

In the month of January, the Treasury Division processed 41,106 payments in person and over the phone, a decrease of -9.7% from last month. Paymentus (the City's 3<sup>rd</sup> party processor of online and automated telephone payments) processed 14,924 payments in January, a decrease of -9% from last month.

#### General Fund Revenues & Expenditures:

When comparing General Fund revenue sources versus budgeted levels, revenues are below target for the month of January by -6.3%. Revenues from the City's largest single source of revenue, sales tax, are below target by -0.8% for the year to date and -0.3% below last fiscal year. Following is a summary table regarding General Fund revenues and expenditures to-date.

	FYE 25	FYE 25	FYE 24	FYE 23
	Budget To Date	Actual To Date	Actual To Date	Actual To Date
Sales Tax				
Revenue	\$32,831,894	\$32,558,725	\$32,668,517	\$32,776,086
General Fund				
Revenue	\$63,314,574	\$59,274,771	\$59,642,386	\$57,924,509
General Fund				
Expenses	\$66,607,430	\$65,507,384	\$63,746,634	\$54,495,068

Finance Department January Monthly Report Page 1 of 1

# **Administration Division**

	FYE 2	5	FYE 2	4
	January	YTD	January	YTD
PERSONNEL HOURS - FULL TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours Total Furlough Hours	480.00 0.25 0.00 0.00 0.00	2,560.00 16.00 0.00 0.00 0.00	320.00 0.75 0.00 0.00 0.00	2,400.00 9.50 0.00 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	480.25 154.50	2,576.00 414.00	320.75 120.00	2,409.50 407.00
TOTAL ACCOUNTABLE STAFF HOURS	325.75	2,162.00	200.75	2,002.50
PERMANENT PART-TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TEMPORARY				
Total Regular Hours Available Total Overtime Hours	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00

# ACCOUNTING 3A

# **Accounting Division**

	FYE 25		FYE 24	
	January	YTD	January	YTD
Total Regular Hours Available	1,680.00	8,800.00	1,120.00	8,400.00
Total Comp Time Available	1.00	16.25	0.00	14.75
Total Overtime Hours	4.00	50.75	7.75	17.25
Total Bonus Hours	0.00	0.00	0.00	0.00
Total Furlough Hours	0.00	0.00	0.00	0.00
TOTAL HOURS AVAILABLE	1,685.00	8,867.00	1,127.75	8,432.00
Benefit Hours Taken	423.25	1,520.75	342.50	1,623.75
TOTAL ACCOUNTABLE STAFF HOURS	1,261.75	7,346.25	785.25	6,808.25
TOTAL MODEL OTAL THOUSE	1,201.10	7,040.20	703.23	0,000.20
PERMANENT PART-TIME				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Comp Time Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
Total Bonus Hours	0.00	0.00	0.00	0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00
Benefit Hours Taken	0.00	0.00	0.00	0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TEMPORARY				
Total Regular Hours Available	0.00	0.00	0.00	0.00
Total Overtime Hours	0.00	0.00	0.00	0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00
TOTAL MOUNS AVAILABLE	0.00	0.00	0.00	0.00

# CITY REVENUE REPORTS 3B

## **City Revenue Report**

	FY 25 December	FYE 25 January	Plus/Minus
Total Revenue Received (\$)	\$6,207,019	\$4,908,301	(\$1,298,718)
Utility Payments - Office (#) Utility Payments - Office (\$)	45,546	41,106	(4,440)
	\$5,743,316	\$4,698,047	(\$1,045,269)
Paymentus (#) Paymentus (\$)	16,407	14,924	(1,483)
	\$1,758,025	\$1,362,135	(\$395,890)
Lockbox (#)	8,699	7,551	(1,148)
Lockbox (\$)	\$1,641,884	\$1,088,567	(\$553,317)
E-Lockbox (#)	3,989	5,687	1698
E-Lockbox (\$)	435,140	281,734	(\$153,406)
Bank Draft Payments (#) Bank Draft Payments (\$)	13052	12379	(673)
	\$1,491,672	\$1,267,294	(\$224,378)
Utility Deposits (#) Utility Deposits (\$)			\$0 \$0
Fix Payments (#) Fix Payments (\$)			\$0 \$0
Processed Return Checks (#) Processed Return Checks (\$)	108	101	(7)
	(\$11,301)	( <b>\$11</b> ,502)	(\$201)
Other Revenue Transactions (#) Other Revenue Received (\$)			\$0 \$0
Accounts Receivable Payments (\$)	299,920	43,349	(\$256,571)
Municipal Court - Fines/Bonds (\$)	180,453	214,760	\$34,307
Municipal Court - Credit Card (#)	439	464	25
Municipal Court - Credit Card (\$)	87,917	95,298	7,381
Building Permits Cash Report (\$)	0	0	\$0
Building Permits Credit Card (#)	0	0	0
Building Permits Credit Card (\$)	\$0	\$0	\$0
Occupational License - Bldg Insp. (\$) Occupational License - Bldg Insp. CC (#) Occupational License - Bldg Insp. CC (\$)	\$0	\$0	\$0
	0	0	0
	\$0	\$0	\$0
Business License - City Clerk (\$)	0	0	\$0
Accounts Receivable Billed (\$)	\$0	\$362,093	\$362,093

Building Permits/Planning/City Clerk went to a new system in the beginning of November, 2023. The reporting is not matching up with the deposits. We are still trying to figure out the best way to report it and subsequently I haven't got the info to include on my daily reports.

This affects the Total Revenue Received as well.

# **Budget Services Division**

	FYE 2	25	FYE 2	4
	January	YTD	January	YTD
PERSONNEL HOURS - FULL TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours Total Furlough Hours	480.00 0.00 0.00 0.00 0.00	2,560.00 0.50 1.25 0.00 0.00	320.00 0.00 0.25 0.00 0.00	2,080.00 0.50 0.25 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	480.00 151.25	2,561.75 497.75	320.25 167.00	2,080.75 473.75
TOTAL ACCOUNTABLE STAFF HOURS	328.75	2,064.00	153.25	1,607.00
PERMANENT PART-TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TEMPORARY				
Total Regular Hours Available Total Overtime Hours	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00

# **Treasury Division**

	FYE 2	25	FYE 2	4
	January	YTD	January	YTD
PERSONNEL HOURS - FULL TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours Total Furlough Hours	1,200.00 6.75 47.25 0.00 0.00	6,400.00 83.50 185.75 0.00 0.00	800.00 6.75 26.25 0.00 0.00	5,912.00 51.25 234.25 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	1,254.00 411.50	6,669.25 1,562.75	833.00 302.75	6,197.50 1,275.25
TOTAL ACCOUNTABLE STAFF HOURS	842.50	5,106.50	530.25	4,922.25
PERMANENT PART-TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TEMPORARY				
Total Regular Hours Available Total Overtime Hours	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00

# UTILITY 3C

# **Utility Division**

	FYE 2	25	FYE 2	4
	January	YTD	January	YTD
PERSONNEL HOURS - FULL TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours Total Furlough Hours	1,680.00 4.25 47.75 0.00 0.00	8,541.00 47.75 485.00 0.00 0.00	1,120.00 16.75 42.25 0.00 0.00	7,280.00 119.50 316.75 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	1,732.00 482.00	9,073.75 1,420.25	1,179.00 324.50	7,716.25 1,550.50
TOTAL ACCOUNTABLE STAFF HOURS	1,250.00	7,653.50	854.50	6,165.75
PERMANENT PART-TIME				
Total Regular Hours Available Total Comp Time Available Total Overtime Hours Total Bonus Hours	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00
TOTAL HOURS AVAILABLE Benefit Hours Taken	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL ACCOUNTABLE STAFF HOURS	0.00	0.00	0.00	0.00
TEMPORARY				
Total Regular Hours Available Total Overtime Hours	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
TOTAL HOURS AVAILABLE	0.00	0.00	0.00	0.00

# **Drive-up Window and Mail Payments - FYE 2025**

	Dec, 2024	Jan, 2025
Mail Payments - Lockbox	8,699	7,551
Mail Payments - E-Lockbox	3,989	5,687
Mail Payments - Office	197	328
Total Mail Payments - Subtotal	12,885	13,566
Night Deposits	211	183
Paymentus Payments	16,407	14,924
Without assistance paymnts - Subtotal	16,618	15,107
Office Payments	2,336	2,243
With assistance payments - Subtotal	2,336	2,243
Total Payments Processed - Subtotal	31,839	30,916
Bank Draft (ACH) Payments	13052	12379
Total Payments (Utility)	44,891	43,295
Total Payments	63,678	61,832

# **Traffic Counter at Drive-up Facility**

Total Traffic Counter	0	0
8-5 Drive-up Window Customers *	Counter is broken	
Night Drop *	Counter is broken	

<sup>\*</sup> These figures are included in the above Total Customer Contact Payments.

# **Utility Division Activity Report - FYE 2025**

	FYE 25		FYE 24	
	January	YTD	January	YTD
STATUS REPORT				
Regular Utility Accounts Billed	45,632	318,408	40,867	307,284
New Deposit Ons Billed	558	5,221	506	4,618
Final Accounts Billed	470	4,572	576	4,666
TOTAL METERS READ	46,660	328,201	41,949	316,568

# FIRE DEPARTMENT 4

192









# NFD Monthly Progress Report January 2025

## **Incident Response Type Summary**

Incident Type	Total	% of Total
1 - Fire	25	1.35%
2 - Overpressure Rupture, explosion, Overheat - No Fire	2	0.11%
3 - Rescue & emergency	1129	61.06%
4 - Hazardous Conditions (No Fire)	24	1.30%
5 - Service Call	160	8.65%
6 - Good Intent Call	419	22.66%
7 - False Alarm & False Call	80	4.33%
8 - Severe Weather & Natural Disaster	0	0.00%
9 - Special Incident Type	0	0.00%
Incomplete Reports	10	0.54%
Total Incident Count (Unique Calls)	1849	100.00%
Number of Total Unit Responses	2444	

# Total Fire Loss \$81,502.00

	Number of First-In Calls	Average Time/Seconds	Average Time/Minutes
Station #1	418	297	0:04:57
Station #2	223	346	0:05:46
Station #3	301	346	0:05:46
Station #4	204	348	0:05:48
Station #5	77	673	0:11:13
Station #6	60	530	0:08:50
Station #7	173	378	0:06:18
Station #8	156	356	0:05:56
Station #9	234	385	0:06:25

## Community Outreach

Tours and Special Events 7 Station Tours, Polar Plunge Support, Chili Supper	Tours and Special Events	7	Station Tours, Polar Plunge Support, Chili Supper
------------------------------------------------------------------------------	--------------------------	---	---------------------------------------------------

#### **Burn Permits**

Burn Permits Issued	104	Conditions were favorable for burning 12 days in January

#### **Training**

Total Personnel Training Hours 2070 Mgmt/Supvsr, Hazmat, Wildland, Special Healthcare, Swiftwater, Peer Support, Elev	ator
-----------------------------------------------------------------------------------------------------------------------	------

		NF		hly Pro	gress Re	eport				
			Tota	Calls By	the Real Property lies and the last lies and the		- 4			
CYN BUSCONS	Total # of Responses	District 1	District 2	Station District 3		District 5	District 6	District 7	District 8	District 9
Engine 1	411	379		9	1		2	13		7
Brush 1	35	30		2			2	13	0	1
Ladder 1	58	37	4	4	2		0	8	1	2
**Chief 301	66	10	12	10	5		1	18	7	3
Station 1 Total	570	10	12	10	3		-	10		
Ottation i rotar	370			Station	2					
	Total # of Responses	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9
Engine 2	234	3	217	5	3		Û	4	2	0.0
Brush 2	14	0.1	11	1	1	27.90		0	1	0
Ladder 2	21	3	6	2	2			6	1	1
HAZMAT	2	1-		A STATE OF	0	and the same of		1	-0	0
Station 2 Total	269	11.00	1 1 21 911	A CONTRACTOR	E. 139 ( ).	or Children Co.	- ar- H	PITELINE (F	2.11301	X
				Station	3					
	Total # of Responses	District 1	District 2			District 5	District 6	District 7	District 8	District 9
Engine 3	319	4	4	296	0.	0	2	4	0	9
Brush 3	10	1	0	5	9	0	2	0	CO.	2
Station 3 Total	329								1000	1.1.1
				Station	4					
- 11. PM. 6.1	Total # of Responses	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9
Engine 4	222	3	10	a	202	80000	-()	2	5	0
Brush 4	11	0	2		7			0	2	0
Tanker 4	1	1		- 0	0	0		0	0	0
Station 4 Total	234	100						Cart -	163671	
				Station	5					
Programme of	Total # of Responses	District 1	District 2	District 3		District 5	District 6	District 7	District 8	District 9
Engine 5	14	0	8	A PARTY	100	13	1	0	0	0
Brush 5	80	0		G		78	2	0	Ü	0
Station 5 Total	94	1. 11. 11. 1	Leaf IT and							
				Station	6					
. Pasitralia	Total # of Responses	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9
Engine 6	27	0			T Tr	5	19	0	0	3
Brush 6	73	0	1	2	0	6	61	0	0	3
Station 6 Total	100									100
				Station	7					
	Total # of Responses	District 1	District 2	District 3		District 5	District 6	District 7	District 8	District 9
Rescue 7	2	0	1	11.	- (i	0	Ç)	1	0	6
Squad 7	212	9	9	11	4	Ü		171	6	2
Brush 7	3	6	0	0	1	6	1	0	1	D
Station 7 Total	217	hartin the	a - dead		1000			Charlet .	45.0	
				Station	В					
	Total # of Responses	District 1	District 2		District 4	District 5	District 6	District 7	District 8	District 9
Engine 8	169	1	2	(i	7	6	0	8	151	0.14
Brush 8	6	0	(7)		1	9		9	5	Diameter Contract
Tanker 8	8	6	6-	6	1	1		0	4	2
Station 8 Total	183		. Vins			eri, Te		1354 18	11 St. 11	51/4.89
		40.05459		Station 9	9					
	Total # of Responses	District 1	District 2	District 3		District 5	District 6	District 7	District 8	District 9
Engine 9	257	3		11	0	1	7	6	6	229
Brush 9	17	1		1	(1)	1	5	CI	0	9
Tanker 9	14	0	0	1	0	4	6	()	0	3
**Chief 401	57	7	5	11	3	6	8	7	2	8
Chief 403	1	- 0	0	1	0		-0	Ö-	C C	0
Station 9 Total	346									

		NF	D Mont	hly Pro	gress Re	port				
			Ja	nuary 2	025					
				Calls By						
				ire Preven						(3)446
	Total # of Responses	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9
Fire Marshal 1	2	2	0	9	0	0	0	0	0	0
Fire Marshal 2	4	0	1	1	0	1	0	1	0	0
**Fire Marshal 3	44	4	7	6	2	2	5	6	6	6
Fire Marshal 6	1	Ċ.	0	0	D	0	0	0	0	1
Prev. Totals	51									
				Notified Ur	nits					
	Total # of Responses	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9
EM1*	19	3	4	2	1	1	0	5	0	3
EMS1*	21	3	4	2	1	1		5	1	4
NFD3*	11	3	1	2	10	1	C.	3	-0	1
Notified Total	51									7.00
75911	Totals				To	tal by Dist	rict			
	2444	508	301	385	244	121	124	269	195	299

<sup>\*</sup>EM1, EMS1 and NFD3 are "notified" of certain calls. They may or may not actually go on scene.

<sup>\*\*</sup>As of 1/1/25 all All Assistant Chiefs will be designated 301, All Battalion Chiefs 401 and all On-Shift Fire Inspectors FM3

# **EMERGENCY MANAGEMENT DIVISION ACTIVITIES**

**Emergency Management Division** 

January 2025

	Meetings will be held at the
Regular Monthly Scheduled Activities	Cleveland County Wellness Center unless otherwise noted.
Each morning at 7:00 am, a silent test of the outdoor warning system is conducted	The test provides an operational snapshot of the status of the system. This information provides information if a unit needs maintenance and if it is operating properly
Each Monday morning at 10:00 am, the National Weather Service conducts a video call regarding the upcoming weekly weather.	This call has the option for video participation and telephone call in. It is primarily for the Emergency Management of jurisdictions, school, State offices involved in EM, Tribes and other entities tasked with severe weather operations. It is not intended for the general public nor is this just a weather forecast. This time allows for interaction with the NWS about
Each Tuesday evening at 6:30 pm, ELMER night with the Amateur radio club (SCARS, www.w5nor.org) at the Fire Training Center (South Canadian Amateur Radio Society)	concerns that directly affect the local jurisdiction so they may better prepare for incoming weather.
Each Wednesday Morning 9:15 am	The club mentors other HAMS, works on projects and equipment, provides general support to the City and Public on Amateur operations
Each first Thursday evening of the month is amateur radio testing night at 6:00 pm	Radio test with State Emergency Management. This tests the local and statewide capability for voice communication to the State office and to other jurisdictions.  Open to the public, the club
	provides the opportunity for the

Each Saturday 12:00 Outdoor Warning audible test. This test is supported by the Amateur radio club to assist in identifying and verifying units needing maintenance. Residents can assist by "Adopting a Pole" and reporting the siren status they adopt at the website www.w5nor.org	Amateur license or upgrade a license. Note: the FCC has been
	Audible test of the outdoor warning system is conducted for 60 seconds. Three units are sounded for 20 seconds due to being a public park venue.
Second Thursday of each month is the Norman Emergency Response Team Volunteers and the Medical Reserve CORPS members to meet, network and discuss preparedness support and collaboration with the Cleveland County Health Department on use of the Medical Reserve Corps. This meeting has been moved to the Cleveland County Wellness Center. Limited meetings may move to the new EOC facility.	The Volunteer meeting at 6:30 pm. At 6 pm we meet for social time before the meeting. Usually we have snacks and drinks. This networking allows for camaraderie and building relationships during different organizations. City staff is always welcome.
Each Third Thursday of the month is reserved for Division Staff duties and collaboration with the Disaster Assistance Teams (DAT) of the American Red Cross	Meetings are conducted at the Fire Training Center and usually held on an as needed basis.
Local Emergency Preparedness Committee	Meets quarterly (Meets at the Well) under the management of the Cleveland County Emergency Management office. The public is welcome to address any concerns regarding emergency planning or SARA Title III information. Also, the LEPC is part of the oversight for the Citizens CORPS Council of Norman. A report on activities is provided each meeting.

Other Emergency Management Activities	
Planning Meeting for Upcoming Events each first Friday of the month	The new year has already begun with new and returning requests for support to various events. From OU football, to Medieval Fair to SoonerCon we will be in full support as needed assisting and preparing Residents of Norman
Local Response	777',1 ,1 ' ' ,1
Red Cross Coordination for burnouts.  We have dedicated volunteers roughly in each quadrant of the City that can respond quickly to the resident need for assistance. Our primary mission is to ensure a burnout family has assistance from the Red Cross if they request it and to stay involved until Red Cross is on scene or the family confirms connection with the Red	With the reorganization in the Red Cross and the turmoil of having an in-home fire, the volunteers or I, when called, will respond to the scene, (physically or by phone and assist the family in coordination
Cross. January 4 responses were conducted.	with the Red Cross to provide immediate assistance.
Medical Reserve CORPS	Norman EM was requested to become part of the revisited State Animal Response Team. NEM will continue the long term relationship with the health dept., and accept duties with the new SmART (Small Animal Response Team) unit 433. The City will not be the housing unit agent for this unit.
Separation of MRC Unit 333	With the anticipated changing leadership, actions are being taken to separate the Unit 333 from the City and transfer to a new housing unit. Inventories being conducted will ensure MRC equipment is accounted for and accountability for all property is completed
Radio project for the outdoor warning system.	The PD Dispatch division has proposed to place the siren system on the Harris radio system. While there are some advantages there are also some disadvantages. One is an increase in operating cost and

maintenance. Over ten years the system has performed outstanding with an average of over 95% functionality utilizing the existing VHF system. Further, with this project the operational control of the system is being sought by dispatch. This will need to be staffed and thoroughly worked through. Dispatches purpose is to communicate response for public safety. They are not staffed for the responsibility of operating and maintaining the sirens. Any increase in manning or budget for a division should go to EM. The EM Division has justified numerous times the addition of 1 to 2 full time positions. Recently a study was completed that confirmed at least one position was recommended, however, the unconscionable decision to not make the availability of the position until the 2034 budget year is unfathomable.

Planning for the new EOC with the amateur Radio C	lub The new AUXCOM room is
	near completion. The
	operational expected date of
	February 15 for the systems
	has been set.
Future Projects are being planned for PSST funding,	Logistical support for the EM
legal opinion for Emergency Management to receive	Div. is funded by the FD budget
PSST money was positive	for all needs in the new EOC.
	EM continues to have to fund
	most of the need from budget
	funding. Continual movement
	has been made in configuration
	of equipment on network vs off
	network. Appreciation to IT for
	their flexible support and
	helping to build out equipment.
New maintenance facility	The Robinson EOC is expected
New mannemance racinty	to take a bay from the new
	_
	maintenance facility being
	constructed. Once again EM
	was not provided for in the
	PSST process and operational
	expenses will continue to come
	from the Fire Depart\EM budget
	to support items needed.
	Operational aspects of the EOC
	and ancillary issues are not
	coordinated with the EM
	Coordinator.
Training	Robinson EOC is available for
	training and meetings.
	Coordination should be through
	Norman EM Coordinator. The
	monthly Public Safety Meeting
	is held at the EOC.
Community Preparedness Events	
Medical Reserve CORPS	The 2025 Operational
	Readiness Grant request was
	not approved this year.
Venue Support for Norman Response Volunteers.	The Response Volunteers
	continue to receive positive

	reviews for their assistance in various venues. Large event venues have already contacted EM to confirm continued assistance in the upcoming year.
Small Animal Rescue Team (SmART)	For several years there has been a need for a small animal rescue team. Many attempts to form a team were not successful. Now, however there has been a formal process completed and a non-profit formed to house the program. Norman EM is fully involved with the team and this will be an asset during disaster operations that dislocated animals\pets like in the 2012 wildfire.
Unmanned Aerial Vehicle support team	The Norman UAV team has supported numerous fires, missing child, manhunts and other various support.  Discussions are ongoing with mutual aid partners on the formation of a UAV task force.
Disaster Reimbursement Status	
FEMA has instituted a new process for reimbursement claims. As with any new process there are many issues to be worked through.	It is vital for Volunteers to ensure their time has been recorded. Volunteer hours are dollars for a jurisdiction. The hours go to meeting cost share and having a value added impact for the local jurisdictions.
Militarian Cuant Status	
Mitigation Grant Status  Many Divisions are applying for mitigation funds for various projects	Norman EM has the role of oversight in the Mitigation grant efforts of the city and will continue to support applications
Hazard Mitigation Plan	Process on the update is in full swing. There are numerous grant requests in the system and

Depts are encouraged to continue applying for funds.
The notice of intent was approved. The grant was changed from a BRIC grant to HMPG at the guidance of OEM. The new notice of funding will be available in March 2025. The first draft of the grant was submitted and awaiting reviews. Much needed input by all departments for this grant is needed. Several requests to other departments have not been responded to and follow up action will be taken.
NWS Norman Spotter Schedule (weather.gov)

# **HUMAN RESOURCES**

5

#### **HUMAN RESOURCES**

Total number of Employees: 925 Orientations: 3 - 8 new hires

\*All orientations require input from each area of the Human Resources Department

Terminations: 10

#### **ADMINISTRATION**

• FMLA cases – 5 new cases

• Processed invoices and reconciled expense accounts

• Coordinated Birthday/Anniversary post card mail outs

o 59 birthdays and 54 anniversary

**BENEFITS** 

Total Benefit Eligible Population: 877

#### New Enrollments: 3

Benefit Participation				
	#	%		
Medical	815	93%		
Dental	814	93%		
Vision	621	71%		
Disability	441	50%		
Supplemental Life	468	53%		

Claims		
Rx Claims		
	ACTIVE	\$210,390.59
	RETIREE	\$7,120.45
	HSA	\$
Medical Claims		\$7,942,586.00
Dental Claims		\$ 95,697.76

#### **PERSONNEL ACTIONS**

#### New Hires - 8

Dept./Div.	Position	Number of Employees
Fire	Firefighter	1
Parks & Rec/Recreation	Recreation Center Specialist	2
Police/Animal Welfare	Animal Welfare Technician	1
Police/Staff Services	Intern	1
Public Works/Traffic	Maintenance Worker I	1
Utilities/Environmental Services	Environmental Compliance Specialist	1
Utilities/Water Reclamation	Custodian	1

## PROMOTIONS - 5

Dept./Div.	Position	Number of Employees
Fire/Suppression	Fire Driver Engineer	2
IT/Security	Cybersecurity Analyst	1
Parks & Rec/Park Maintenance	Maintenance Worker II	1
Parks & Rec/ Recreation	Recreation Technician	1

## SEPARATIONS - 10

		Number of Employees
Dept./Div.	Position	
Fire/Suppression	Assistant Fire Chief	1
Fire/Suppression	Captain	1
Parks & Rec/Golf	Asst. Golf Professional II	1
Parks & Rec/Park Maintenance	Maintenance Worker I	1
Parks & Rec/ Recreation	Recreation Center Specialist	2
Planning/Code Enforcement	Code Enforcement Supervisor	1
Police/Emergency Communications	Communications Officer I	1
Police/Emergency Communications	Communications Officer II	1
Public Works/Engineering	Subdivision Development Coordinator	1

#### **TURNOVER STATS**

	No. of Terminated		
Department	No. of Employees	Employees	Turnover Rate
City Manager	15		0.00%
City Clerk	6		0.00%
Finance	23		0.00%
Fire	164	2	1.22%
Human Resources	10		0.00%
Information Technology	17		0.00%
Legal Department	9		0.00%
Municipal Court	12		0.00%
Parks & Recreation-Total	109	4	3.64%
Planning & Comm Dev.	38	1	2.63%
Police	261	2	0.08%
Public Works	125	1	0.08%
Utilities	163		0.00%

#### RECRUITMENT

Positions Requisitioned for Refill by Department/Division (# of vacancies) *included positions are Full Time unless otherwise indicated as Part Time (PT) or Seasonal PT*		
	Parks & Recreation	
PT Recreation Technician (1)	PT* All Locations — Recreation Center Specialist	
PT* Golf Course Attendant	PT Lifeguard Leader	
PT* All Westwood Pool Positions	Field Operation s Supervisor – Aquatics (1)	
MWII – Parks (1)		
	Police	
Police Officer (17)	Communications Officer I	
Communications Officer II		
	Public Works	
Engineering - City Surveyor (1)	Capital Projects Engineer/Staff Engineer (1)	
	IT	
Systems Support Technician (1)		
	Fire	
Deputy Fire Chief (1)		
	Planning	
Code Compliance Inspector (1)	Plans Examiner (1)	
	Human Resources	
Safety Manager (1)	HR Coordinator (1)	

#### **DAYS TO FILL**

Full Time Position	Date Posted	Offer Date	Days to fill
Firefighter	1/12/25	1/12/25	0
Maintenance Worker I	11/26/24	12/16/24	20
Custodian	12/5/24	1/3/25	29
Env. Compliance Specialist	11/6/24	12/23/24	47
Animal Welfare Technician	9/25/24		

<sup>\*</sup>Offer Date reflected for accurate days to fill numbers, all started in current month

PT/Seasonal Position	Hire Date	Date Posted
Recreation Center Specialist (2)	1/22/25	Perpetual
Intern	1/31/25	Perpetual

<sup>\*561</sup> registrations/applications to our openings, 28 new requisitions opened.

#### **SAFETY**

## Recordable Injuries - OSHA

Department/Division	Nature of Injury	How Sustained	Prognosis	Prevention Method
Police/Patrol	Right Pinky Finger	Broke sliding glass door during a welfare check	Prescription	Caution and awareness
Fire/Suppression	Lower back	Strained stepping in dip	Off Work	Caution and awareness of area
Utilities/Sanitation	Right Knee	Stepped off curb wrong twisting knee	Work Restrictions	Caution and awareness of area
Utilities/HHWF	Finger	Poked by needle when picking up a container	Prescriptions	Wearing gloves, being aware of items picked up
Police/Patrol	Right Knee	Jumped fence during pursuit	Prescription	
Fire/Suppression	Lower Back	Pulling hose	Light Duty	Proper lifting/pulling techniques and caution
Police/Patrol	Left shoulder/arm	Strained/possible tear falling in bomb suit during training	Prescription	Proper technique and caution
Police/Communications	Knees and back	Fell on curb	Light duty	Caution and awareness of area
Police/Animal Welfare	Lower Back	Dog jerked leash causing strain	Prescription	Proper holding techniques

## Current number of "at fault" Vehicle Collisions per calendar year:

2025*	2024	2023	
3	40	11	

#### \*CY2024 is current YTD

#### Current number of "at fault" Vehicle Collisions per fiscal year:

2025	2024 2023	
25	14	7

#### Recordable Injuries per calendar year:

2025*	2024	2023
9	80	78

<sup>\*</sup>CY2024 is current YTD

#### Recordable Injuries per fiscal year:

	2025	2024	2023
	55	62	67

#### ACCESSIBILITY

#### ADA:

Automatic door openers have been placed at the Natatorium of the Adult Wellness and Education Center. Still waiting on all parts to be received.

#### Accessibility:

**Employee Resource Groups** (ERGs): LGBTQ+ Alliance's next meeting is to be determined. The Alliance of Black Employees (ABE) held a meeting to discuss an event for Black History Month to be held on February 20<sup>th</sup>.

Hosted the 2025 Interfaith Breakfast for the City of Norman alongside the Human Rights Commission.

#### **Committees:**

**Human Rights Commission (HRC)** – In lieu of a regular meeting, the 2025 Interfaith Breakfast was held on Saturday, January 11, 2025, at the Nancy O'Brian Center for the Performing Arts. Commissioner Michael Ridgeway was the keynote speaker. The next meeting is scheduled for Monday, February 24, 2025, at City Hall.

**ADA Citizen's Advisory Committee** –The ADA Citizen's Advisory Committee's next quarterly meeting is scheduled for Monday, March 10, 2025, at City Hall.

Cleveland County disABILITY Coalition – The monthly meeting took place on Tuesday, January 7, 2025, at United Way. Guest speaker Michelle Jackson with Ability Connection Oklahoma presented. Their programs and services include: financial assistance for emergencies, an assistive technology program for non-verbal individuals, durable medical equipment loans and grants, and an information referral program, and sporting team for youth and adults with disabilities and sponsorship of two gardens. The organization does not have employment programs, but can refer people to vocational rehabilitation services. Serving all ages and having a specific grant for adults aged 65 and older in Oklahoma, Canadian, and Cleveland counties. The grant helps purchase or repair durable medical equipment for adults aged 65 and older in these counties. The 3<sup>rd</sup> Annual Cleveland County disABILITY Coalition Resource Fair will be Tuesday, March 25<sup>th</sup> from 5:00 PM - 7:00 PM at The Well. The next meeting is scheduled for Tuesday, February 4, 2025, at United Way.

## CITY OF NORMAN EMPLOYEE DEMOGRAPHICS

## **Total Population**

(Includes full-time, part-time, and temp/seasonal employees)

Gender	Total Population	% of Total Population
Female	231	23.3%
Male	759	76.7%
	990	100.00%

Job Classification by Gender				
Job Classification	Female	Male		
Full-Time	180	680		
Part-Time	31	39		
Temporary	120	40		
	231	759		

# **Full-Time Employee Population Only**

Gender	Full-Time Population	% of Full-Time Population
Female	180	20.9%
Male	680	79.1%
	860	100.00%

Employee Population by Generations				
Generations	Birth Years	Current Age Range	Female	Male
Silent Generation	1928-1945	79-96	0	2
Baby Boomers	1946-1964	60-78	23	64
Generation X	1965-1980	44-59	78	246
Millennials (Gen Y)	1981-1996	28-43	57	290
Generation Z	1997-2012	12-27	22	78
12 (286)	व स्वार्थित सम्बद्धाः	Service Learning States and the	180	680

# INFORMATION TECHNOLOGY 6

# **CITY OF NORMAN**

Information Technology Department Monthly Report –January 2024.

Working projects for the IT Department are as follows:

Project	Description/improvement anticipated	Status
ERP Replacement Project	Process improvements for finance, purchasing, AR/AP, Courts, HR, Payroll, Personnel, and Permits Management through newer technology, software, and business review processes.	Implementation Complete – Project refinement ongoing: The CoN team has completed implementation work on all major core software. However, work continues in Utility Billing, HR, and Planning to refine these new systems.
Main Site data center upgrades	Necessary upgrades to current infrastructure are needed to enhance capabilities and continue with power saving and cooling efforts by reducing the amount of physical servers through virtualization. New equipment is being implemented to replace the old and increase security and speed requirements.	Ongoing: IT Network staff are in implementation and testing of major networking and security appliances, as well as virtual upgrades. This includes expansion of equipment for new buildings and replacement of old switch infrastructure. Funded through CIP.
Water tower and mono-pole contract negotiations.	Increased Revenue and compliance for water tower/cellular mono-pole leases. Repair requirements.	Ongoing – taken over by Utilities Admin.

Fiber Optic Installation for redundant loop at WTP and EOC	IT and the Utilites Department will be using capital funds to connect a microwave antenna from Fire station 9 to the Water treatment plant and connect to the Emergency Operations Center once that building is complete. This will create a redundant loop for the WTP and EOC incase of lost service from the main connection.	Awaiting Approval, Working with Utilities Department, land acquisition complete, right of way in negotiation
New Building construction/renovation support.	The IT Department is involved in all new building construction planning and will be responsible to map our networking infrastructure, building air for network closets, power for equipment and battery backups, network drops, wireless network coverage, hardware installation, and physical moves of staffs computer systems in all building projects (Norman Forward Driven)	In Progress – PD Moves and Mary Abbot House expansion. Complete – ECOC, HR/IT Building, Building Maintenance, YFAC, Sanitation, Line Maintenance Sr. Center, Development Center, Municipal Court, Bus Station
Jenkins Street Fiber Move	Move the city's fiber optics out of the way of construction during the Jenkins Street widening project.	In Progress – Finance Dept. has made funds available.
IT Security training efforts for all network and email users at the City of Norman.	Increase awareness and stay current on all new and rapidly changing cyber-attack methods so that the CoN network is protected by every employee who utilizes the network for business.	Ongoing monthly training continues with our cybersecurity education suite, as well as annual PEN testing of the city network and improvements from the PEN test report.
Endpoint Security Review	Review current endpoint security appliances and software and make upgrades as necessary.	In Progress

Print consolidation	Work with outside vendor to consolidate all print, fax, copy machines in CoN facilities.	In Progress estimated full completion in 2027
Automated Meter Infrastructure	Implement and integrate AMI for meter reading and utility billing.	In Planning – customer portal configuration in progress. Communication radios installation in progress.
Print Shop Move to IT	Transition the Print Shop from the Finance Department in to the IT Department.	Complete.
Network Infrastructure Improvements	Utilize our new Network Engineer who will work closely with the Network and Infrastructure Manager, to review and improve our cabling, switching, and network configuration.	In Progress: The IT Department has been granted access to 5% of the annual capital funds for business critical software and infrastructure needs.
Integration of Computer Aided Dispatch with OU PD	Create a software as a service model to share public safety software data with and between OU PD	Complete. Additional segmentation for OU presence with NPD during OU Football is in progress.
Move existing secondary IT Datacenter to new location.	Move all equipment from the current secondary site to a new more robust and secure site.	Physical and virtual moves for the data center began May 2024 – full move expected to be complete by December 2024 if all tests of the new facility functionality are successful.

#### **Support Tickets:**

The IT department is responsible for all technology needs throughout all city departments. Public safety is a high priority and the bulk of our support tickets come from public safety support. **IT Table 1** below represents the number of support tickets opened by each department for last month. The IT Department monitors trends in these numbers and makes adjustments as needed to assure that all departments have the appropriate amount of support for daily operations.

#### **Users Supported:**

The following statistics represent the number of network users supported by the IT Department. The city network is important for all business initiatives for the city of Norman. The number of devices supported reflects the growth in dependence on technology for daily operations (see IT Table 2).

#### **Email Security Appliance:**

The City of Norman's IT Department has an email filter that has enhanced reporting and filtering capabilities that protect the City's systems from malicious attacks from the outside. Email is one of the preferred methods of the delivery of malicious software and viruses. The IT department monitored 277,738 attempted incoming and 155,741 outgoing messages for the month of January 2024. Incoming messages totaling 84,165 were considered Spam or hazardous e-mails by our email-filtering appliance, and were quarantine or filtered (see **IT Table 3**). This number represents 56% of our inbound mail. This percentage has increased from previous months for malicious email/spam. Our security efforts are having a positive effect on reducing the total number of malicious email inbound. The IT Department has made the decision to block inbound traffic from specific sources with known malicious traffic that constantly try to affect our network. We continue to monitor and analyze the situation on a daily basis. Inbound email messages of this nature means increased vulnerabilities and attack vectors into the city. Without the email filter appliance, our email server would have received more mail, which increases the opportunity for entrance of a virus into the network. It also creates waste, reduces productivity, and decreases valuable storage space.

#### Web Site:

The City of Norman's web site is hosted, updated and maintained by the IT Department. In the month of January 2024, the City of Norman's web site had 107,747 individual web sessions access the web site for 202,441 total page views. Of those sessions, 61,886 were identified as Users to view content on the City web site (see IT Table 4a and 4b). In July of 2019, the IT Department kicked off a project with Interpersonal Frequency to overhaul the City website. Since its completion in June 2020, the site has had a few major upgrades including a new search feature and this has contributed to more relevant search results. The site boasts a build in engine that allows it to function as an app on mobile devices and

tablets.

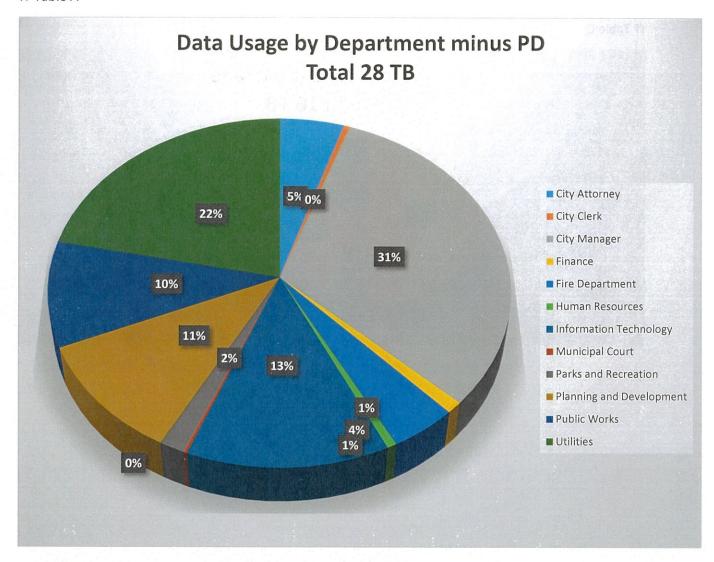
#### Data Storage:

The City of Norman's infrastructure depends on system availability and uptime. An important part of system availability is data storage and usage. The pie charts below (See IT Charts A,B, and C) represent where the bulk of IT data storage resides. The information stored in this infrastructure is important for daily operations, and public safety. This includes data that is protected in the case of a disaster that can be recovered to keep operations functional.

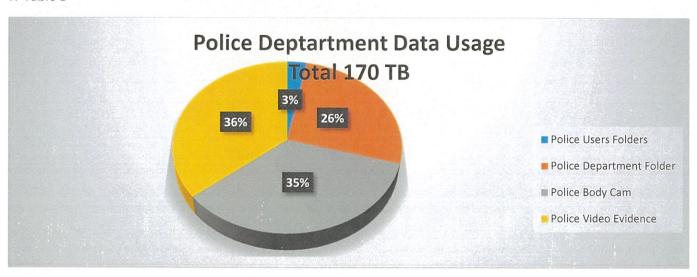
#### **ERP Project Implementation Progress:**

This project began in January of 2018 and was delayed for multiple reasons by the 2020 pandemic. The projects final implementations are complete as of March 2024. The City Council approved approximately \$6 Million to replace the outdated software systems that run our daily business operations. Once fully complete the city will have enhanced automated services and web services for our citizen base as well as the employees who conduct business and track their daily work with these systems. The IT Department completed implementation of all major pieces of the ERP business systems software packages. These include Parks and Rec software, Municipal Court software, Financial Systems software, Utility Billing software, Payroll, Human Resource Management, Work Orders (Tyler EAM), Time and Attendence, and Planning and Community Services software packages. Daily work continues on these systems as well as additional training, enhancements, and configuration. We will continue to evaluate and enhance each of these systems moving forward. Our current efforts include a review of the HR Systems, post launch troubleshooting of Planning and Community Dev software, an upgraded Parks and Rec software package to help with golf management, concessions, and food carts. We Are also preparing for AMI (Automatic Meter Infrastructure), and integration with a customer portal for Utility Billing Systems software as well as a review of the current time and attendance software.

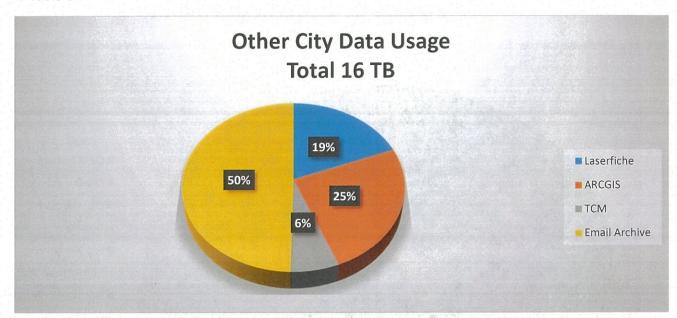
IT Table A

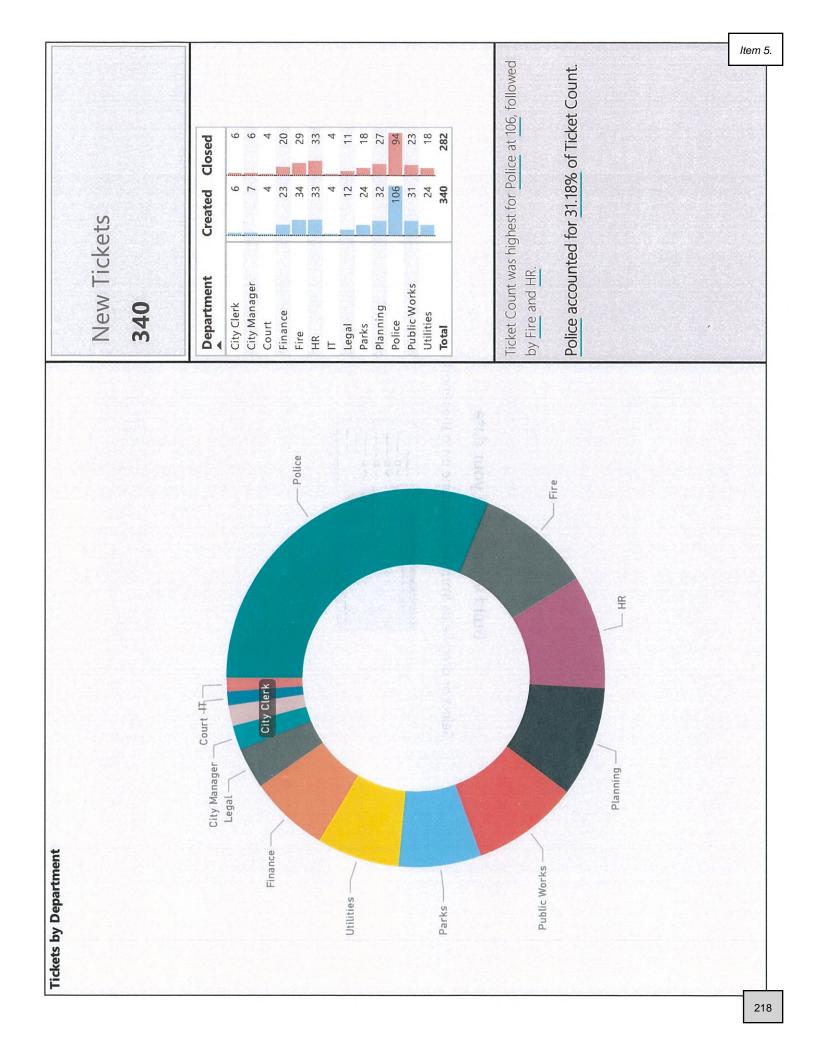


IT Table B



IT Table C





# Build visuals with your data

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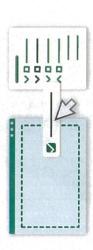
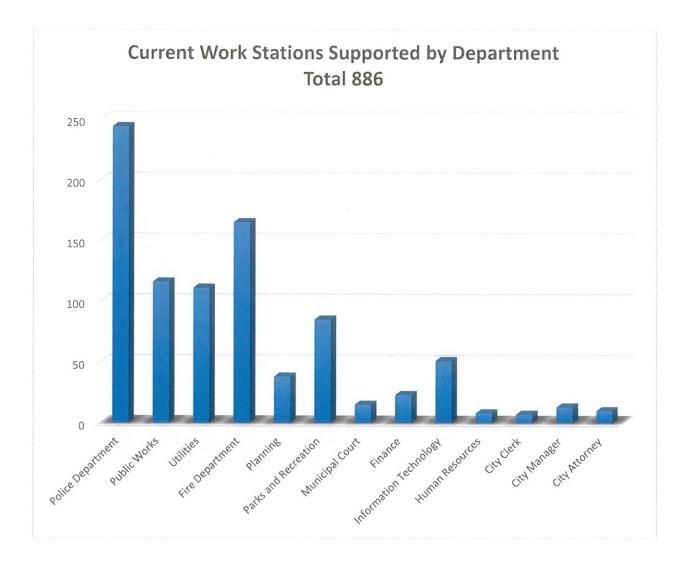
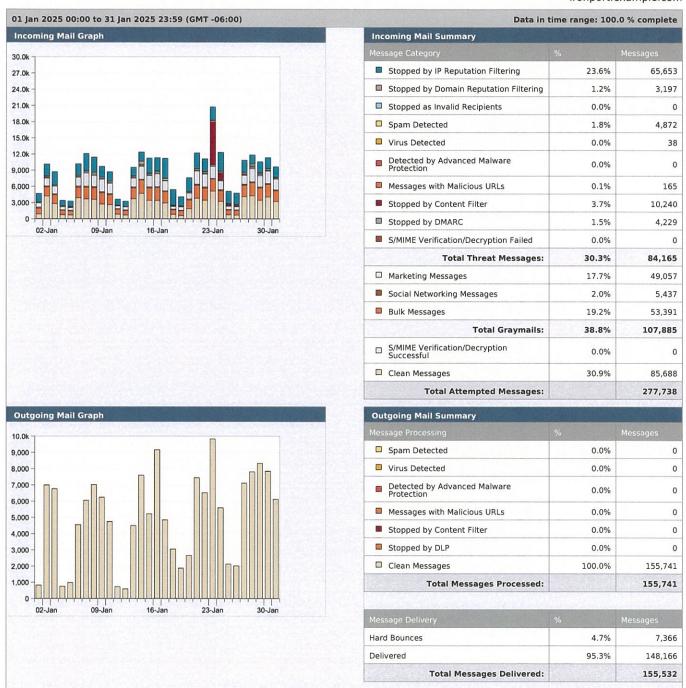


Table 2



### **Executive Summary**

### ironport.example.com



ironport.example.com - 01 Feb 2025 01:00 (GMT -06:00)

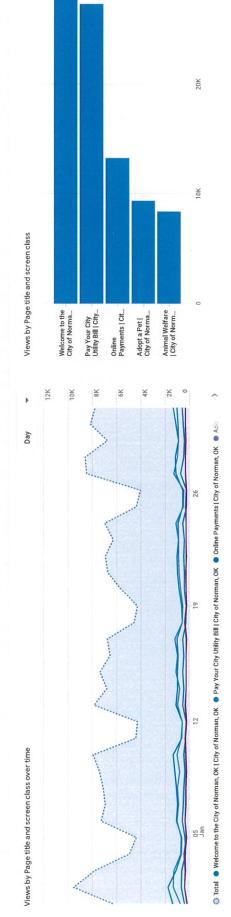
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0	Page title and screen class 💌	+	↑ Views	Active users	Views per active user	Average engagement time per active user		Event count All events
5	Total		202,441 100% of total	<b>61,886</b> 100% of total	3.27 Avg 0%	57s Avg 0%	57s g 0%	<b>614,099</b> 100% of total
>	Welcome to the City of Norman, OK   City of Norman, OK		28,885	13,973	2.07	21	21s	74,610
2	2 Pay Your City Utility Bill   City of Norman, OK		27,331	13,918	1.96	16	16s	98,970
>	3 Online Payments   City of Norman, OK		13,259	7,923	1.67	12	12s	33,014
>	4 Adopt a Pet   City of Norman, OK		9,364	4,592	2.04	18	18s	29,793
2	5 Animal Welfare   City of Norman, OK		8,389	5,031	1.67	3.	15s	26,115
	6 Job Opportunities   City of Norman, OK		6,181	3,579	1.73	1m 06s	ęs	18,464
	7 Trash & Recycling   City of Norman, OK		3,866	2,427	1.59	11	41s	12,710
	8 Department Activity Reports   City of Norman, OK		3,748	1,976	1.90	35	39s	24,175
	9 Search Results   City of Norman, OK		2,972	1,490	1.99	24	44s	6,802
	10 Norman Police Department   City of Norman, OK		2,806	1,968	1.43	24	24s	9,719

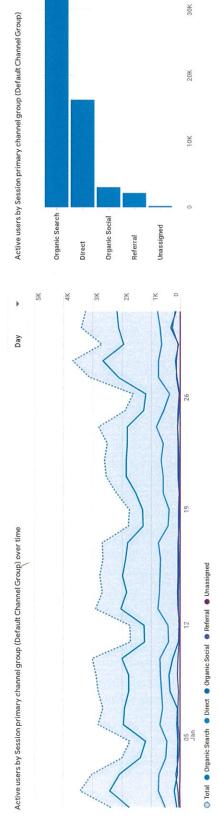
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LEGAL 7

### MONTHLY REPORT - LEGAL DEPARTMENT January 2025 Report (Submitted February 14, 2025)

### **MONTHLY HIGHLIGHTS:**

### **LIST OF PENDING CASES:**

### UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

### UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, Case No. 05-MD-01720 (JG)(JO) (K)

### UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF OKLAHOMA

Dollarhide v. Dennis Dickens, Oklahoma Highway Patrol, et al, CIV-2022-642 (K)

### OKLAHOMA SUPREME COURT / COURT OF CIVIL APPEALS

### **COURT OF CRIMINAL APPEALS**

### CLEVELAND COUNTY DISTRICT COURT

### A. General Lawsuits

115 W. Main LLC v. Sooner Emerald Dreams LLC, et al., CJ-2024-1318

Allison et al v. Post et al, CV-24-3374

Armstrong v. City of Norman, CJ-2012-1638 (K)

Bad Day Towing & Recovery v. City of Norman, CV-2024-2032 (K)

City v. Geoffrey and Kristin Arce, Case No. CV-2024-3662 (K, M, S)

City v. Haddock, CV-2010-357 TS (K, S)

City v. IAFF, CV-2011-48 L; DF-109447 (K)

City v. Komiske, Cobblestone Creek Management Company, et al, CV-2012-748 (K, W)

Etter v. City of Norman, CJ-2021-731 (K)

Norman Municipal Authority and City of Norman v. Flintco, LLC, et al, CJ-2024-1343

FOP/IAFF/AFSCME v. Okla. Dept. of Labor and City of Norman, CJ-2005-1170 L (K)

FOP v. City of Norman, CV-2011-876 L (K)

Martin Flores v. City of Norman & John Doe, CJ-2021-1051 (K)

Kevin Hahn v. Norman Police Department, City of Norman, CJ-2021-210 (K)

City v. Loeffler & Ashford Investments, LLC, CV-2022-1182 (M)

City v. Lonnie Hodges, CV-2020-2922

The Norman Petition Initiative No. 2021-1, Case No. CV-2020-2384 (K)

McCarver v. City of Norman, CJ-2013-128 TS (K)

Remy v. Hall, et al., Case No. CV-2017-1853 (K, S)

Shaz Investment Group, LLC v. City of Norman, CJ-2021-1044 (K)

Legal – January 2025 Monthly Report February 14, 2025 Page 2 of 6

Smith et al v. Norman Regional Health System v. City of Norman, CJ-2014-874 (K) University Town Center, LLC v. City of Norman et al, CJ-2024-1405

### B. Condemnation Proceedings

City of Norman v. Chastain Oil Company, a Corporation, et al., CV-2015-677 (M)

City of Norman v. West Lindsey Center Investors, LLC, et al., CV-2015-671 (M)

City of Norman v. Tietsort Revocable Trust, et al., CJ-2013-775 (M)

City of Norman v Apex Properties, LLC, et al., CJ-2021-221 (M)

City of Norman v. D&J Land, LLC, et al., CJ-2022-251 (M):

City of Norman v. Harold and Diana Hansmeyer, et al., CJ-2024-498 (W)

# C. Lawsuits involving a City Claim/Interest in Property, Foreclosure Actions, and Applications to Vacate

City of Norman v. Legacy Property Partners, LLC, CV-2018-249 (K, S)

Mortgage Clearing Corporation v. Ricky Joe Butler, et al., CJ-2016-219 (M)

Mortgage Clearing Corporation v. Doiron, et al., CJ-2014-1459 (M)

Katy Construction Co., CV-2024-2213

US Bank National Association v. Hudson et al., CJ-2024-996

US Bank National Association v. Vermillion et al., CJ-2024-1019

Orrklahoma Realty - Norman, LLC v. City of Norman et al., CV-2024-2824

### D. Municipal Court Appeals

City of Norman v. Carisa McDonald, CM-2024-2317

### E. Small Claims Court

None

### F. Board of Adjustment Appeals

None

### LABOR / ADMINISTRATIVE PROCEEDINGS

### A. Grievance & Arbitration Proceedings (K)

This office has assisted with the following grievances:

AFSCME Grievance FYE 21-02 – (COVID-19 Leave)

AFSCME Grievance FYE 22-02 – (Jerry Younts and Bennie Gilmore – COVID-19 Leave)

AFSCME Grievance FYE 22-02 – (Tara Klepper – COVID-19 Leave)

AFSCME Grievance FYE 24-06 – (Malia Ross – Discipline)

AFSCME Grievance FYE-24-09 – (James Salley – Termination)

Legal – January 2025 Monthly Report February 14, 2025 Page 3 of 6

<u>IAFF Grievance FYE 21</u> – (Carl Shanon Smith – Improper Compensation)

<u>IAFF Grievance FYE 23</u> – (Matt Ferris – Discipline)

<u>IAFF Grievance FYE 23</u> – (Carl Shanon Smith Termination/Forced Retirement)

Mr. Smith has been reinstated, and thus this grievance is moot.

<u>IAFF Grievance FYE-23</u> – (Mass Casualty/Active Shooter Response)

<u>IAFF Grievance FYE 23</u> – (Change in Conditions of Employment - EMS Protocols)

This grievance has been resolved and will no longer appear on the Monthly Report.

<u>IAFF Grievance FYE-24</u> – (Non-Emergency Call Back)

<u>IAFF Grievance FYE-24</u> – (Failure to Staff Personnel)

<u>FOP Grievance FYE-25-01</u> – (Larry Shelton – Termination Not for Just Cause)

### B. Equal Employment Opportunity Commission (EEOC)

<u>Yoon v. City of Norman</u> – Charge #564-2024-00586

### C. Contested Unemployment Claims (OESC)

Application of Donald R. Cox – Claim ID No. 866771528 Application of WJ Mack – Claim ID No. 045587093 Application of Perry D. Broyles – Claim ID No. 164372228 Application of Elisabeth Forman – Claim ID No. 564392057

### MUNICIPAL COURT PROSECUTIONS

This chart represents the cases prosecuted by the City Attorney's Office in the Municipal Criminal Court through January 2025. The chart does not represent those cases disposed of prior to Court through actions of the City Attorney and the Court.

	<u>AD</u>	ULT CA	<u> ISES</u>	<u>JUVE</u>	NILE C	<u>ASES</u>	COUR	T SESS	<u>IONS</u>
Month	FYE 23	FYE 24	FYE 25	FYE 23	FYE 24	FYE 25	FYE 23	FYE 24	FYE 25
JULY	165	464	359	7	11	25	9	10	11
AUG	241	341	493	10	7	6	13	16	13
SEPT	245	295	395	15	18	11	10	8	10
OCT	244	346	420	13	7	13	9	11	10
NOV	205	292	246	10	11	15	6	10	6
DEC	165	163	314	5	9	13	8	4	8
JAN	205	280	419	9	9	11	10	5	12
FEB	256	338		17	20		10	12	
MAR	272	466		13	8		12	10	
APR	322	443		9	11		9	14	
MAY	395	430		17	26		13	10	
JUNE	344	333		31	7		9	9	

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	<u>AD</u>	<u>ULT CA</u>	<u>ASES</u>	JUVENILE CASES		COURT SESSIONS			
TOTALS / YTD	3,059	4,191	2,446	156	144	94	118	119	70

### **WORKERS' COMPENSATION COURT**

The total number cases pending as of January 2025 are 20. There were no new workers compensation claims. One settlements was approved by the City Council during the month. The remaining cases are proceeding in active litigation in the Oklahoma Workers' Compensation Commission/Court of Existing Claims. The current breakdown of pending Workers' Compensation cases by work area have been reviewed and updated for accuracy is as follows:

DEPARTMENT	DIVISION	PENDING CASES	FYE 25 CASES	FYE 24 CASES	FYE23 CASES	FYE22 CASES
Fire	Suppression	7	4	3	9	4
Fire	Prevention					1
Parks/Rec	Facility Maintenance	1	1			
Parks/Rec.	Park Maintenance	1				
Parks/Rec	Westwood Pool					1
Police	Criminal Investigation	2				1
Police	Patrol	4	1	2	1	4
Police	Administration					2
Public Works	Street Maintenance	I	1			1
Public Works	Fleet	1	1	1		
Public Works	Storm Water	2		2		
Public Works	Traffic Control				1	
Utilities	Line Maintenance	l			1	
Utilities	Sanitation				l	
TOTALS		20	8	8	13	14

### List of Pending Cases

Amason, Amber v. City of Norman, WCC 2012-12306 K

(Police, Patrol, Master Police Officer, Intestinal/Parasite/Infection)

Bernhardt, Kyle v. City of Norman, CM-2024-06289K

(FD/Suppression/Fire Driver Engineer, Left Shoulder)

Boxford, Steven Lee v. City of Norman, CM-2022-03698 N

(Police, Patrol, Master Police Officer, Left Shoulder, Neck, Left Hand, Left Arm, Left Hip, Right Knee)

Hambrick, John v. City of Norman, CM-2023-02469K

(Fire, Suppression, Firefighter, Cancer, Body as Whole)

Hiett, Darin v. City of Norman, CM-2024-04540W

(Public Works, Streets, Heavy Equipment Operator, Neck, Left Shoulder, Left Arm)

Kizzia, Derrald v. City of Norman, WCC-2014-06995 K

(Parks & Rec, Park Maintenance, Heavy Equipment Operator, Right Knee/Reopen Request)

Lewis, Brian K. V. City of Norman, CM-2022-02245 H

(Fire, Suppression, Fire Driver Engineer, Neck, Back UNS, Left Knee, Left Leg)

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Massie, Nathan v. City of Norman, CM-2024-03408 H

(Public Works, Fleet, Service Technician, Neck+Neck, Lower Back, Ears+Neck, Bilateral Ears, Lumbar, Middle Back+Neck, Bilateral Ears, Lumbar, Middle Back, Both Shoulders, Both Arms)

Moring, Barry v. City of Norman, CM-25-00042 J

(Fire, Suppression, Fire Captain, Cancer, Body as a Whole

Mosley, Kent v. City of Norman, CM-2020-00585 X

(Police, Patrol, Sergeant, Mid & Low Back, Radicular Pain Down L. & R. Leg, R. Big Toe, R. & L. Buttocks + Neck, Headaches + Consequential Erectile Dysfunction) + Disfigurement to Stomach Newell, Richard v. City of Norman, CEC-2022-15014 H (Request to Reopen – Change in Condition for the Worse)

(Police, Narcotics, Master Police Officer-Sergeant, Right Knee)

Pierce, Daniel Ray v. City of Norman, CM-2024-02999 H

(Police, Patrol, Master Police Officer-Sergeant, Right Knee, Reinjured)

Rayburn, Joshua L. v. City of Norman, CM-2023-00845 J

(Utilities, Line Maintenance, Utility Distribution Worker I, Back UNS)

Settlement by Joint Petition in the above mentioned claim was approved by the City Council on 1/16/2025 and will no longer appear on the monthly report.

Robertson, Kellee v. City of Norman, WCC-2010-13896 F

(Police, Narcotics, Master Police Officer, Respiratory System/Lungs, Circulatory System Organs of the Body and Whole Person)

Shelton, Allen W. v. City of Norman, CM-2024-03108 M

(Public Works, Stormwater, Heavy Equipment Operator, Right Shoulder)

Shelton, Allen W. v. City of Norman, CM-2024-03110 X

(Public Works, Stormwater, Heavy Equipment Operator, Left Shoulder, Whole Back, Radicular Right Leg/Foot)

Simons, Michael v. City of Norman, CM-2024-04104 L

(Fire, Suppression, Firefighter, Right Knee)

Tipton, Jared v. City of Norman, CM-2024-05980 T

(Fire, Suppression, Fire Driver Engineer, R. Shoulder)

Wilkins, Levi v. City of Norman, CM-2019-05323 X

(Fire, Suppression, Fire Driver Engineer, BAW, Cancer)

Wilson, Jerry v. City of Norman, CM-2024-04699W

(Parks & Recreation, Facility Maintenance, Tradesworker, Head, Right Shoulder, Lower Back, Right and Left Ribs)

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### **TORT CLAIMS**

The following is a breakdown of the Tort Claims activity through January 2025.

DEPARTMENT	FYE 25 Month	FYE 25 YTD	FYE 24 YTD	FYE 23 YTD	FYE 22 YTD
Animal Control		1		2	2
Finance – IT					
Fire			2		2
Legal					
Other	1	4	4	5	6
Parks		5	2	I	2
Planning		2		1	2
Police	1	2	8	8	8
Public Works – other		2	2	5	2
Public Works – Stormwater					1
Public Works – Engineering	1	1			
Public Works – Streets	2	7	12	8	10
Utilities – other			2		
Utilities – Water	1	3	5	16	6
Utilities – Sanitation		5	10	7	6
Utilities – Sewer		2	8	3	4
TOTAL CLAIMS	6	34	55	56	51

CURRENT CLAIM STATUS	FYE 25 TO DATE	FYE 24	FYE 23	FYE 22
Claims Filed	34	61	56	51
Claims Open and Under Consideration	8	1	0	0
Claims Not Accepted Under Statute/Other	2	1	4	3
Claims Paid Administratively	5	26	25	15
Claims Paid Through Council Approval	3	4	2	2
Claims Resulting in a Lawsuit for FY	0	1	0	5
Claims Barred by Statute		***************************************		
(No Further Action Allowed)	2	27	25	26
Claims in Denied Status				
(Still Subject to Lawsuit)	14	1	0	0

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# MUNICIPAL COURT

### MUNICIPAL COURT MONTHLY REPORT JANUARY - FY '25

### CASES FILED

	<u> </u>	<u>FY 25</u>		FY 24
	<u>JANUARY</u>	<u>Y-T-D</u>	<u>JANUARY</u>	<u>Y-T-D</u>
Traffic	1,188	5,623	1,104	5,110
Non-Traffic	257	1,865	268	1,974
SUB TOTAL	1,445	7,488	1,372	7,084
Parking	524	5,571	532	5,170
GRAND TOTAL	1,969	13,059	1,904	12,254

### **CASES DISPOSED**

	F	FY 25		FY 24
	JANUARY	<u>Y-T-D</u>	<u>JANUARY</u>	<u>Y-T-D</u>
Traffic	985	5,463	605	4,400
Non-Traffic	261	1,809	116	1,475
SUB TOTAL	1,246	7,272	721	5,875
Parking	570	5,022	654	4,447
GRAND TOTAL	1,816	12,294	1,375	10,322

### REVENUE

	F	<u>Y 25</u>	FY 24	
	JANUARY	<u>Y-T-D</u>	JANUARY	Y-T-D
Traffic	\$ 97,903.12	\$ 574,322.07	\$ 101,688.51	\$ 528,152.41
Non-Traffic	\$ 16,204.19	\$ 136,552.78	\$ 15,895.09	\$ 132,602.98
SUB TOTAL	\$ 114,107.31	\$ 710,874.85	\$ 117,583.60	\$ 660,755.39
Parking	\$ 25,375.00	\$ 186,703.00	\$ 15,868.75	\$ 138,880.75
GRAND TOTAL	\$ 139,482.31	\$ 897,577.85	\$ 133,452.35	\$ 799,636.14

### MUNICIPAL COURT - MONTHLY REPORT January 2025

### JUVENILE COMMUNITY SERVICE PROGRAM

Due to a vacancy in program staff, juveniles located and worked community service projects on their own.

### **MEDIATION PROGRAM**

The Early Settlement – Norman Mediation Program accepted 28 new cases and closed 30 cases during the month of January 2025. 5 Mediations were held.

## PARKS AND RECREATION 9

### Park Development Activities January 2025

### YFAC Pickleball and Volleyball

Multisports, LLC installed all of the interior court divider fencing and completed the surfacing and net installation for the new 6-court outdoor pickleball facility on the east side of the Young Family Athletic Center (YFAC). Crews from Musco Sports Lighting continued their work as weather allowed in January to install the new lights on that side of the building to light the pickleball courts, as well as the new sand volleyball and existing turf practice field at YFAC. Once all work is done, we will finish grading the site and install all remaining concrete walkways, sod and landscaping to make the site ready for use in the spring.

### Santa Fe Depot Platform Improvements

A contractor working for AMTRAK has mobilized at the Santa Fe Depot site to make ADA improvements to the train platform on the west side of the building. This is part of a nation-wide project to bring older passenger rail platforms into compliance with the latest Accessibility Guidelines. The facility will remain in operation throughout the project, which is scheduled for significant completion in July of this year. However, good weather and site conditions could accelerate that schedule. The contractor is also aware of the Norman Music Fest's use of the building and blocks around the site; and will not be working on-site in the days up to and around that large downtown festival. They are in weekly contact with the director of the Norman Depot operations; and they will be able to maintain their usual schedule of daily use and other rentals throughout the job.

### Alameda Street Stormwater Control Park

A pre-bid meeting was held in late January for contractors interested in bidding on construction of the new park planned for the land the city acquired at the corner of Alameda Street and Carter Avenue. This has been designed to serve as both a neighborhood park with play equipment and walking trails; and as a stormwater management project, working with the Environmental Services Division and Public Works Division. There will be a small parking lot lit with solar fixtures and a rain garden as part of the runoff/drainage plan; and also educational signage regarding the best management practices being demonstrated in the stream restoration done in the drainage system running through the park. Work will commence in spring, to be completed this summer. During this time, we will also finalize a name for the park and also coordinate removal of the low billboard sign that has been on the site for decades; but is not going to have its lease renewed when it expires this year.

### Norman Forward Neighborhood Parks

The park design for a new neighborhood park adjacent to the Links neighborhood will be presented at the Park Board meeting in February. We will also work with a committee of the Park Board to name the park as part of the new park development process. Construction will be bid and get underway this spring. The next new park to be built will be on land located just east of Highway 77 (South Classen), which will serve the Southlake/St. James neighborhoods.

The new playground has begun to be installed at William Morgan Park (north of Robinson Street, east of 36th Avenue NW). The renovation of that small neighborhood park will be completed in the coming 2 months; then we will move on to the renovation of the playground at Northeast Lions Park this fiscal year. We will also look at one additional renovation in to begin in early 2025 at either Springbrook or Kiwanis Parks, depending on available budget.

### Forestry

We are working with our Steering Committee for the Urban Forest Master Plan being developed by DAVEY Resource Group to prepare for a community input meeting in March that will help discover what residents want to see done by the city to preserve and expand our urban forest. We are also continuing work on the Community Wildfire Protection Plan (CWPP) with our contractor from Chloeta, out of Oklahoma City. In January, their staff visited all 9 fire stations to discuss the history of wild land and other types of fires in Norman, to help get a better understanding of what patterns exist. They will use this information to evaluate wildfire risks in Norman and guide how we work as a city to implement mitigation strategies that will reduce the likelihood and severity of wildfires in the future.

### PARK MAINTENANCE DIVISION JANUARY 2025

SAFETY REPORT	FY25 MTD	FY25 YTD	FY24 MTD	FY24 YTD
On-The-Job Injuries	0	8	0	6
Vehicle Accidents	1	1	0	0
Employee responsible	0	0	0	0
ROUTINE ACTIVITIES		an Hours		n Hours
Big Mowing	0	542.00	0.00	925.75
Trim Mowing	8	3749.75	7.00	5797.00
Chemical Spraying	44	445.50	0.00	1948.00
Fertilization	0	20.00	0.00	92.00
Park Tree Work	209	1544.25	54.00	1004.75
Street Tree Work	0	128.00	0.00	16.00
Trash Maintenance	267.75	1759.75	417.00	4354.25
Sprinkler Maintenance	113.5	961.75	93.25	1607.50
Watering	0	96.00	0.00	73.00
Painting	40	48.00	0.00	138.00
Landscape Maintenance	276.25	2008.00	359.50	2994.00
Seeding/Sodding	0	37.00	0.00	45.50
Ballfield Maintenance	18	238.25	0.00	101.00
Fence Repairs	38	250.00	24.00	384.75
Equipment Repairs/Maintenance	163.75	1513.25	93.50	2408.25
Material Hauling	150.25	376.25	14.00	634.50
Snow/Ice Removal	113.75	113.75	0.00	297.00
Christmas Setup	245.25	536.25	36.00	1146.00
Vector Control	8	111.00	0.00	144.00
Events	32	713.25	86.00	590.75
Vandalism Repair	8	161.75	4.00	385.00
Trail Maintenance	0	141.00	0.00	150.00
Playground Maintenance	16	553.50	1.00	1279.50
Restroom Maintenance	18	40.00	59.75	783.00
Carpentry/Welding	511.75	1149.50	136.00	1577.50
Shop Time	6	75.00	63.00	539.25
Special Projects	104	256.50	198.75	1387.75
Miscellaneous	20	230.50	170.50	1019.50
Shopping Carts (by cart, not hours)	1	77		

# JANUARY 2025 RECREATION DIVISION MONTHLY REPORT

Little Axe Community Center: For the month of January, the after school program had 14 kids enrolled with an average of nine kids attending daily. The center held its third Wednesday arts and active class with Little Axe High School. We are also working with the Little Axe High School in our WAT program (Work Adjustment Training) twice a week. The center opens a small food pantry on Mondays for the Little Axe community. The center hosted our monthly bingo and ice cream social and we had our monthly OHCE meetings. The center and P.L.S offered free craft classes to the community while offering story time and having an on-hand librarian to take care of any library needs. The Center has welcomed back Community Action (in Shawnee) on Fridays from 1pm to 4pm to help any community members that may need assistance.

**12th Avenue Recreation Center:** In January, 12<sup>th</sup> Avenue averaged 33 students in the after school program. Pioneer Library continued their bi-weekly visits with fun little crafts and activities for the students. This month, we started our weekly Family Game Night on January 13. Patrons could play any game from Uno to Clue and even easier games for younger patrons like Spot it. Students were out of school on the 20<sup>th</sup> for Martin Luther King Jr. Day. A camp day was held and had 17 campers for the day. Classes continued as normal throughout the month; however, Tae Kwon Do classes were cancelled the last week of January due to the instructor being ill.

Irving Recreation Center: This month at Irving we had a total of 28 students enrolled in our program. We had 316 total visits with an average of 20 students per day. Once we returned from break, our kids continued to make lots of crafts while the middle school finished up basketball games in our gym. The Pioneer Library resumed its bi-weekly visits to our center and did an interactive activity with the children. With weather fluctuating from cold to warm, we took our kids outside whenever it was warm enough for them to play.

Whittler Recreation Center: This month, Whittier Recreation Center had 23 students enrolled in our after school program, with a daily average of 17 in attendance. Norman Schools were closed on January 20th in observance of Martin Luther King, Jr. Day, and no activities were held at Whittier.

FACILITY ATTENDANCE:	Month	Year to Date
Little Axe Community Center	579	6,435
12th Avenue Recreation Center	1,609	12,118
Irving Recreation Center	316	2,832
Whittier Recreation Center	273	3,083
Reaves Center	300	2,100
Tennis Center	2,909	21,098

# YOUNG FAMILY ATHLETIC CENTER JANUARY 2025

	FYE 2025	FYE 2025
	MTD	YTD
YFAC Memberships	\$4,025.00	\$20,460.00
YFAC Day Passes	\$31.00	\$771.00
YFAC Gym Passes	\$3,302.00	\$17,156.00
YFAC Aqua Class/Camp	\$1,315.00	\$2,611.00
YFAC GYM Class/Camp	\$0.00	\$1,315.00
YFAC Misc Class/Camp	\$0.00	\$51,146.00
YFAC POOL Rental	\$11,375.00	\$83,807.50
YFAC GYM Rental	\$177.50	\$6,724.16
YFAC MISC Rental	\$375.00	\$375.00
YFAC POOL Tournament	00.0\$	\$0.00
YFAC GYM Tournament	\$21,360.00	\$116,685.66
YFAC Leases	\$7,130.62	\$30,131.69
YFAC Other Revenue/Advertising	\$21,296.99	\$58,631,81
YFAC Leagues	\$0.00	00.0\$
TOTAL INCOME	\$70,388.11	\$337,353.82
YFAC GYM Expenditures	918,988.90	\$94,931.89
YFAC POOL Expenditures	\$27,853.67	\$152,530.91
EXPENDITURES	\$46,842.57	\$247,462.80
Income vs. Expenditures	\$23,545.54	\$89,891.02

# WESTWOOD/NORMAN MUNICIPAL AUTHORITY 9A



### **JANUARY 2025**

# **Westwood Golf Course Division Monthly Progress Report**

ACTIVITY	JAN FYE 25	JAN FYE 24
Regular Green Fees	157	146
Senior Green Fees	137	167
Junior Fees	46	27
School Fees (high school golf team players)	93	163
Advanced Fees (high school golf team pre-pay)	0	0
Annual Fees (Regular, Senior & Junior Members)	195	365
Employee Comp Rounds	102	156
Golf Passport Rounds	0	0
9-Hole Green Fee	44	57
2:00 Fees	79	47
Dusk Fees or 5:00 Fees	1	58
PGA Comp Rounds	0	0
*Rainchecks (not counted in total round count)	8	6
Misc Promo Fees (birthday, players cards, OU student	24	24
Green Fee Adjustments (fee difference on rainchecks)	1	0
Total Rounds (*not included in total round count)	879	1210
% change from FY '24	-27.36%	
Range Tokens	720	474
% change from FY '24	51.90%	
18 - Hole Carts	24	29
9 - Hole Carts	5	215
½ / 18 - Hole Carts	264	12
½ / 9 - Hole Carts	54	64
Total Carts	347	320
% change from FY '24	8.44%	
18 - Hole Trail Fees	0	0
9 - Hole Trail Fees		
	OI.	UI.
18 - Hole Senior Trail Fees	0	0
18 - Hole Senior Trail Fees 9-Hole Senior Trail Fees	0	0
9-Hole Senior Trail Fees	0 0	
	0 0	0
9-Hole Senior Trail Fees  Total Trail Fees	0 0	0
9-Hole Senior Trail Fees  Total Trail Fees	0 0	0

### JANUARY 2025 WESTWOOD GOLF DIVISION

SAFETY REPORT	MONTHLY PR	ROGRESS REPO	DRT	
	FY 2025	FY 2025	FY 2024	FY 2024
	MTD	YTD	MTD	YTD
Injuries On The Job	0	0	0	0
City Vehicles Damaged	0	0	0	0
Vehicle Accidents Reviewed	0	0	0	0
FINANCIAL INFORMATION				
	FY 2025	FY 2025	FY 2024	FY 2024
	MTD	YTD	MTD	YTD
Green Fees	\$20,224.88	\$230,432.22	\$16,768.14	\$293,601.62
Driving Range	\$3,988.00	\$64,796.00	\$2,684.12	\$67,956.31
Cart Rental	\$10,058.94	\$126,254.46	\$7,616.10	\$153,221.10
Golf Classes	\$0.00	\$0.00	\$0.00	\$0.00
Golf Shop Rentals	\$448.37	\$2,347.50	\$38.64	\$1,702.26
USGA Handicap Fees	\$0.00	\$0.00	\$0.00	\$0.00
Golf Cart Capital	\$816.95	\$9,760.86	\$332.12	\$9,048.85
Golf Merchandise	\$24,008.03	\$139,248.99	\$2,295.47	\$108,984.66
Restaurant	\$5,081.16	\$93,469.27	\$2,709.98	\$96,795.45
Golf Membership	\$10,214.89	\$76,019.73	\$0.00	\$0.00
Interest Earnings	\$120.40	\$11,872.65	\$209.50	\$128,110.95
TOTAL INCOME	\$34,182.13	\$754,201.68	\$32,654.07	\$861,413.99
Expenditures	\$91,337.50	\$815,288.22	\$110,760.62	\$835,423.56
Income vs Expenditures	-\$57,155.37	-\$61,086.54	-\$78,106.55	\$25,990.43
Rounds of Golf	2,070	20,857	1,210	17,893

We removed stumps on holes 4, 5, 6, 9, 10, 11, 14, 15, 16 & 18 and we will continue removing dead trees and stumps as needed. Storm Water Maintenance Division is helping us with trimming the large brush areas and difficult to trim areas. They have completed 65% of the areas needing attention on the property. Our maintenance staff continues to cleanup the debris left behind from this process. We removed a sod swath on the back of the driving range tee to prepare for a contractor to install concrete for 25 hitting mats. This will give us the ability to remove traffic from the dormat Bermudagrass with the intention to have a better practice tee during the growing season. The next bunker renovation will be #2 greenside bunker.

### JANUARY 2025 WESTWOOD FAMILY AQUATIC CENTER

FINANCIAL INFORMATION	MONTHLY PRO	GRESS REPO	RT	
FINANCIAL INFORMATION	FY 2025 MTD	FY 2025 YTD	FY 2024 MTD	FY 2024 YTD
Swim Pool Passes	\$2,895.00		\$3,840.00	\$5,850.00
Swim Pool Gate Admission	\$0.00	\$189,589.00	\$0.00	\$186,635.00
Swim Lesson Fees	\$3,278.00	\$4,916.00	\$2,315.00	\$8,125.15
Swim Pool Rental	\$0.00	\$55,181.37	\$0.00	\$47,927.56
Swim Pool Classes	\$850.00	\$1,550.00	\$2,380.00	\$3,057.00
Swim Pool Merchandise Sales	\$0.00	\$336.58	\$0.00	\$236.44
Swim Pool Concessions	\$0.00	\$98,762.76	\$0.00	\$104,250.55
TOTAL INCOME	\$7,023.00	\$362,565.71	\$8,535.00	\$364,616.70
Expenditures	\$20,257.20	\$633,549.30	\$14,051.20	\$708,792.85
Income vs Expenditures	-\$13,234.20	-\$270,983.59	-\$5,516.20	-\$344,176.15
ATTENDANCE INFORMATION	FY 2025 MTD	FY 2025 YTD		FY 2024 YTD
Pool Attendance	0	51763	0	30941
Adult Lap Swim Morning/Night	0	125	0	219
Water Walkers	0	3851	0	200
Toddler Time	0	673	0	393
Water Fitness	0	1654	0	186
Swim Team	0	60	0	10
Scuba Rentals	0	22	0	13
Scuba Participants	0	69	0	35
Swim Lesson	0	295	0	1275
Private Swim Lessons	0	30	0	35
Special Events	0	12	0	7
Party/Rentals	0	17	0	86
TOTAL FY 2025 ATTENDANCE	0	58571	0	33400
ATTENDANCE	INFORMATION	MAY 2024 TO N	OVEMBER 202	4
	Pool Attendance		99,996	
	Adult Lap Swim	Morning/Night	127	
	Water Walkers		3,886	
	Toddler Time		1,157	
	Water Fitness		1,793	
	Swim Team		118	
	Scuba Rentals		34	
	Scuba Participa	nts	125	
	Swim Lesson		375	
	Private Swim		61	
	Special Events		16	
	Party/Rentals		50	
	TOTAL ATTENI	DANCE	107,738	

# FACILITY MAINTENANCE 9B



# Cost by Building with Maint Type

CHU								Jan-25
Building	<b>Maint Type</b>	Total Cost	<u>Labor</u>	Supplies	Equipment	Inventory	Outsourcing	Overhead
12TH AVE REC	ELECTRICAL	286.47	242.60	43.87	0.00	0.00	0.00	0.00
ENTER - 1701	GENERAL	465.61	363.90	101.71	0.00	0.00	0.00	0.00
12TH AVE NE	HVAC	113.80	113.80	0.00	0.00	0.00	0.00	0.00
	PLUMBING	101.08	101.08	0.00	0.00	0.00	0.00	0.00
	Totals:	966.96	821.38	145.58	0.00	0.00	0.00	0.00
A - COURTS -	GENERAL	80.87	80.87	0.00	0.00	0.00	0.00	0.00
21 N WEBSTER	HVAC	623.73	607.73	16.00	0.00	0.00	0.00	0.00
	Totals:	704.59	688.59	16.00	0.00	0.00	0.00	0.00
ADULT	ELECTRICAL	40.43	40.43	0.00	0.00	0.00	0.00	0.00
VELLNESS AND	GENERAL	40.43	40.43	0.00	0.00	0.00	0.00	0.00
EDUCATION	HVAC	191.26	191.26	0.00	0.00	0.00	0.00	0.00
ENTER - 602 N	PLUMBING	222.38	222.38	0.00	0.00	0.00	0.00	0.00
FINDLAY	Totals:	494.51	494.51	0.00	0.00	0.00	0.00	0.00
AGING	HVAC	75.87	75.87	0.00	0.00	0.00	0.00	0.00
SERVICES - 329	PLUMBING	352.87	222.38	130.49	0.00	0.00	0.00	0.00
S PETERS	Totals:	428.74	298.25	130.49	0.00	0.00	0.00	0.00
NDREWS PARK	HVAC	267.93	267.93	0.00	0.00	0.00	0.00	0.00
200 W DAWS	Totals:	267.93	267.93	0.00	0.00	0.00	0.00	0.00
ANIMAL	ELECTRICAL	101.08	101.08	0.00	0.00	0.00	0.00	0.00
VELFARE - 3428	GENERAL	80.87	80.87	0.00	0.00	0.00	0.00	0.00
S JENKINS	PLUMBING	2,193.68	1,526.57	667.11	0.00	0.00	0.00	0.00
2 JEINNINS	Totals:	2,375.63	1,708.52	667.11	0.00	0.00	0.00	0.00
DOLLCE DEDT			1,253.44	331.50	0.00	0.00	0.00	0.00
- POLICE DEPT	ELECTRICAL	1,584.94	239.20	0.00	0.00	0.00	0.00	0.00
-112 W DAWS	GENERAL	239.20	188.87	0.00	0.00	0.00	0.00	0.00
	HVAC	188.87	80.87	75.05	0.00	0.00	0.00	0.00
	PLUMBING	155.92		The second secon				
	Totals:	2,168.92	1,762.37	406.55	0.00	0.00	0.00	0.00
C - HR, IT - 313	GENERAL	80.87	80.87	0.00	0.00	0.00	0.00	0.00
N WEBSTER	HVAC	232.39	232.39	0.00	0.00	0.00	0.00	0.00
	PLUMBING	858.99	566.07	292.92	0.00	0.00	0.00	0.00
	Totals:	1,172.25	879.33	292.92	0.00	0.00	0.00	0.00
CITY HALL - 201	ELECTRICAL	54.68	40.43	14.25	0.00	0.00	0.00	0.00
W GRAY	GENERAL	3,145.02	1,651.92	1,493.10	0.00	0.00	0.00	0.00
	HVAC	900.62	900.62	0.00	0.00	0.00	0.00	0.00
	PLUMBING	1,347.88	1,111.92	235.96	0.00	0.00	0.00	0.00
	Totals:	5,448.19	3,704.88	1,743.31	0.00	0.00	0.00	0.00
COMMUNITY	GENERAL	202.68	40.43	162.25	0.00	0.00	0.00	0.00
PARKS	Totals:	202.68	40.43	162.25	0.00	0.00	0.00	0.00
COMPOST	PLUMBING	65.43	40.43	25.00	0.00	0.00	0.00	0.00
FACILITY - 398	Totals:	65.43	40.43	25.00	0.00	0.00	0.00	0.00
D -	ELECTRICAL	623.84	623.84	0.00	0.00	0.00	0.00	0.00
DEVELOPMENT	GENERAL	285.85	285.85	0.00	0.00	0.00	0.00	0.00
ENTER - 225 N	HVAC	832.25	768.25	64.00	0.00	0.00	0.00	0.00
WEBSTER	PLUMBING	101.08	101.08	0.00	0.00	0.00	0.00	0.00
	Totals:	1,843.02	1,779.02	64.00	0.00	0.00	0.00	0.00
FIRE		0.00	0.00	0.00	0.00	0.00	0.00	0.00
DMINISTRATO	Totals:	0.00	0.00	0.00	0.00	0.00	0.00	0.00
IRE STATION 1 -		62,412.71	0.00	0.00	0.00	62,412.71	0.00	0.00
411 E MAIN	PLUMBING	464.98	464.98	0.00	0.00	0.00	0.00	0.00
. I E WANT	Totals:	62,877.69	464.98	0.00	0.00	62,412.71	0.00	0.00
IRE STATION 2 -	i otais.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2211 W BOYD	Totals:	0.00	0.00	0.00	0.00	0.00	0.00	0.00
IRE STATION 3 -	i otais:	0.00	0.00	0.00	0.00	0.00	0.00	0.00
500 E	CENEDAL	121.30	121.30	0.00	0.00	0.00	0.00	0.00
DUU E	GENERAL	- Annie Control Control						The second of the second of the second
CONSTITUTION	HVAC	75.87	75.87	0.00	0.00	0.00	0.00	0.00

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	Totals:	237.60	237.60	0.00	0.00	0,00	0.00	0.00
FIRE STATION 4 -	! 52555	0.00	0.00	0.00	0,00	0,00	0.00	0.00
4145 W	PLUMBING	121,30	121.30	0.00	0.00	0,00	0.00	0.00
ROBINSON	Totals:	121.30	121.30	0.00	0.00	0.00	0.00	0.00
IRE STATION 5	iotais.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	ELECTRICAL	741.73	161.73	580.00	0.00	0.00	0.00	0.00
1000 NE 168TH		<u> </u>	361.56	0,00	0.00	0.00	0.00	0,00
	HVAC	361.56	384.12	28.00	0.00	0.00	0.00	0,00
	PLUMBING	412.12		3	and the second second second second			0,00
	Totals:	1,515,41	907.41	608,00	0.00	0.00	0.00	1
TRE STATION 6 -		0.00	0.00	0.00	0.00	0.00	0.00	0,00
7405 E	ELECTRICAL	217.37	80.87	136.50	0.00	0.00	0.00	0,00
ALAMEDA	PLUMBING	40.43	40.43	0.00	0.00	0.00	0.00	0,00
	Totals:	257.80	121.30	136.50	0.00	0.00	0.00	0,00
IRE STATION 7 -		0.00	0.00	0.00	0.00	0,00	0.00	0,00
2207 GODDARD	Totals:	0.00	0.00	0.00	0.00	0,00	0.00	0,00
IRE STATION 8 -		0.00	0.00	0.00	0.00	0.00	0.00	0.00
3901 36TH AVE	ELECTRICAL	411,72	283.03	128.69	0.00	0.00	0.00	0.00
NW	GENERAL	121,30	121.30	0.00	0.00	0.00	0.00	0.00
	HVAC	55,70	55,70	0,00	0.00	0.00	0.00	0.00
	PLUMBING	291,85	161.73	130,12	0.00	0.00	0.00	0.00
	Totals:	880,58	621,77	258,81	0.00	0.00	0.00	0.00
IRE STATION 9	10(0)3.	0.00	0,00	0.00	0.00	0.00	0.00	0,00
3001 E	ELECTRICAL	161.73	161.73	0.00	0.00	0.00	0.00	0.00
			80,87	130.12	0.00	0,00	0,00	0,00
ALAMEDA	PLUMBING	210.99	242.60	130.12	0.00	0,00	0,00	0,00
	Totals:	372.72			0.00		0,00	0,00
FLEET	ELECTRICAL	487.88	222.38	265.50		0.00		1
AAINTENANCE -	GENERAL	98.53	98.53	0.00	0.00	0,00	0,00	0.00
1301 DAVINCI	HVAC	168.70	168.70	0.00	0.00	0.00	0,00	0.00
:	PLUMBING	264,28	161.73	102.55	0.00	0.00	0.00	0.00
	Totals:	1,019,40	651,35	368.05	0.00	0.00	0.00	0.00
GRIFFIN PARK -	HVAC	74.27	74.27	0,00	0.00	0.00	0.00	0.00
1001 E	Totals:	74.27	74.27	0,00	0,00	0,00	0.00	0.00
IRVING REC	GENERAL	40.43	40.43	0,00	0.00	0.00	0.00	0,00
CENTER - 1920	HVAC	151.73	151.73	0.00	0.00	0.00	0.00	0,00
ALAMEDA	PLUMBING	485.20	485,20	0.00	0.00	0.00	0.00	0,00
	Totals:	677.37	677.37	0.00	0.00	0.00	0,00	0.00
LEGACY PARK -	ELECTRICAL	80.87	80.87	0.00	0.00	0,00	0,00	0.00
1898 LEGACY	PLUMBING	222.38	222.38	0.00	0.00	0,00	0.00	0.00
PARK DR	Totals:	303.25	303.25	0.00	0.00	0,00	0,00	0.00
VEIGHBORHOO	GENERAL	40.43	40.43	0.00	0,00	0,00	0.00	0.00
1	PLUMBING	40,43	40.43	0,00	0,00	0,00	0.00	0.00
D PARKS			80,87	0,00	0.00	0.00	0.00	0.00
	Totals:	80,87	121,30			0.00	0.00	0.00
NORMAN	GENERAL	121.30		0.00	0.00			
NVESTIGATION	HVAC	116,20	116,20	0.00	0.00	0.00	0.00	0.00
S CENTER -	PLUMBING	161.73	161.73	0.00	0.00	0.00	0.00	0.00
1507 W	Totals:	399.23	399.23	0.00	0.00	0.00	0.00	0.00
NORMAN	HVAC	77.46	77.46	0.00	0.00	0,00	0.00	0,00
UBLIC LIBRARY	Totals:	77.46	77.46	0.00	0.00	0,00	0.00	0,00
NORMAN		61,171.00	0.00	0.00	0.00	61,171.00	0.00	0.00
UBLIC LIBRARY	ELECTRICAL	40.43	40.43	0.00	0,00	0,00	0.00	0.00
- EAST - 3051	PLUMBING	424.55	424.55	0.00	0,00	0.00	0.00	0.00
ALAMEDA	Totals:	61,635.98	464,98	0.00	0,00	61,171.00	0.00	0.00
PARKS	HVAC	38.73	38.73	0.00	0,00	0.00	0.00	0.00
AINTENANCE -	Totals:	38.73	38.73	0,00	0,00	0.00	0.00	0,00
POLICE	HVAC	395.40	341.40	54.00	0.00	0.00	0,00	0.00
SHOOTING	PLUMBING	80.87	80.87	0.00	0.00	0.00	0,00	0,00
RANGE - 3942	Totals:	476.26	422.26	54.00	0.00	0,00	0.00	0.00
			116.20	0,00	0,00	0,00	0.00	0.00
OTARY PARK -	HVAC	116.20	116.20	0,00	0,00	0,00	0.00	0.00
1501 W BOYD	Totals:	116.20				2	and the same and the same	0.00
SANITATION -	ELECTRICAL	173.50	80.87	92,63	0.00	0.00	0.00	2
301 GODDARD	HVAC	77.46	77.46	0,00	0.00	0.00	0.00	0.00
AVE	PLUMBING	40.43	40.43	0.00	0.00	0.00	0.00	0.00
	Totals:	291.39	198.76	92.63	0.00	0.00	0.00	0.00

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SHOP TIME	GENERAL	2,146.70	2,146.70	0.00	0.00	0.00	0.00	0.00
	Totals:	2,146.70	2,146.70	0.00	0.00	0.00	0.00	0,00
SOONER	GENERAL	40.43	40.43	0.00	0.00	0.00	0.00	0.00
THEATRE - 101 E	HVAC	75.87	75.87	0.00	0.00	0.00	0.00	0,00
MAIN	Totals:	116.30	116,30	0.00	0.00	0.00	0.00	0.00
TRAFFIC	HVAC	75.87	75.87	0.00	0.00	0.00	0.00	0.00
CONTROL -	Totals:	75.87	75.87	0,00	0,00	0.00	0.00	0.00
TRANSFER	PLUMBING	80.87	80.87	0,00	0.00	0.00	0.00	0.00
STATION - 3901	Totals:	80.87	80.87	0,00	0,00	0,00	0.00	0.00
TRANSIT	PLUMBING	241.03	222.38	18.65	0.00	0.00	0.00	0.00
CENTER - 320 E	Totals:	241.03	222.38	18.65	0.00	0.00	0.00	0.00
TRANSIT/PUBLI	HVAC	96.83	96.83	0.00	0.00	0.00	0.00	0.00
SAFETY - 1310	Totals:	96.83	96.83	0.00	0.00	0,00	0.00	0,00
WATER	ELECTRICAL	646.93	646.93	0.00	0.00	0.00	0.00	0.00
RECLAMATION -	PLUMBING	80.87	80,87	0.00	0,00	0.00	0.00	0,00
WASTEWATER -	Totals:	727.80	727.80	0.00	0.00	0.00	0.00	0.00
WATER	HVAC	213.03	213.03	0.00	0.00	0.00	0.00	0.00
TREATMENT	Totals:	213.03	213.03	0.00	0.00	0.00	0.00	0.00
WESTWOOD	GENERAL	174.27	74.27	100,00	0.00	0.00	0.00	0.00
GOLF COURSE -	Totals:	174.27	74.27	100,00	0.00	0.00	0.00	0.00
WESTWOOD	GENERAL	40.43	40.43	0.00	0.00	0.00	0.00	0.00
POOL - 1017	Totals:	40.43	40.43	0.00	0.00	0.00	0.00	0.00
WESTWOOD	ELECTRICAL	310.62	80.87	229.75	0.00	0.00	0.00	0.00
TENNIS CENTER	PLUMBING	80.87	80.87	0.00	0.00	0.00	0.00	0.00
- 2420	Totals:	391.48	161.73	229.75	0.00	0.00	0.00	0.00
WHITTIER REC	GENERAL	40.43	40.43	0.00	0.00	0.00	0.00	0.00
CENTER - 2000	Totals:	40.43	40.43	0.00	0,00	0.00	0.00	0.00
YOUNG	ELECTRICAL	126,05	121.30	4.75	0,00	0,00	0.00	0.00
FAMILTY	GENERAL	121,30	121.30	0.00	0.00	0.00	0.00	0.00
ATHLETIC	HVAC	616,52	616.52	0.00	0.00	0.00	0.00	0.00
CENTER - 2201	PLUMBING	527.77	202.17	325.60	0,00	0.00	0.00	0.00
TRAE YOUNG	Totals:	1,391,63	1,061.28	330.35	0,00	0,00	0,00	0.00



# Cost by Maintenance Type

Type	<b>Total Cost</b>	Labor	Supplies	Equipment	Inventory	Outsourcing
OTHER	123,583.71	0.00	0.00	0.00	123,583.71	0.00
PLUMBING	9,712.72	7,551.15	2,161.57	0.00	0.00	0.00
GENERAL	7,728.26	5,871.20	1,857.06	0.00	0.00	0.00
HVAC	6,214.10	6,080.10	134.00	0.00	0.00	0.00
ELECTRICAL	6,090.28	4,262.84	1,827.44	0.00	0.00	0.00

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25-Jan	Overhead	0.00	0.00	0.00	0.00	0.00
	Over	o.	0	o.	o.	0

# PLANNING AND COMMUNITY DEVELOPMENT 10

			January 2025 Residential Permit Activity	Reside	ntial F	erm	it Activity			
Report Category	Permit Number	Date Issued	Address	Sq Ft	Zoning	Ward	Subdivision	Contractor	>	Valuation
Multi-Family, New Multi- Unit Residential	PRMU202405916	2025-01-30	215 W LINN ST	69972	CCFB	4	LARSH'S FIRST ADD, D L	CSO DEVELOPMENT	s,	7,688,454.00
	-				5				49	7,688,454.00
Multi-Family, Repair	PRDB202500064	2025-01-16	2813 DEWEY AVE 101	0	R-3	7	NAVEL AIR TECH TR CT	JCR REMODELING, LLC	69	30,000.00
	-								4	30,000.00
Residential, Accessory	PRAB202405173	2025-01-13	9750 E TECUMSEH RD	792	A-2	2	FAIOF 2	ACME WELDING	69	15,000.00
	PRAB202405510	2025-01-17	3105 MILLBURY RD	1014	PUD	9	THE VINEYARD PHASE II	SWIFTCO DEVELOPMENT	69	140,000.00
	PRAB202405928	2025-01-06	10220 E LINDSEY ST	1500	RE	2	GREEN TURF ESTATES	JASON NEELY	69	20,000.00
	PRAB202405963	2025-01-13	5901 FLOYD COX DR S	009	RE	5	PRIDE #130	WILLAUER, EDWARD B JR	69	25,000.00
	PRAB202405966	2025-01-07	4004 FLOYD COX DR	3240	RE	2	PRIDE #130	THORNHILL, TYLER LAYNE	69	55,000.00
	PRAB202405977	2025-01-30	5405 PIONEER CIR NW	2000	R-1	8	MARLATT SUBD REPLAT	NIDOMA, INC	5	97,000.00
	PRAB202405995	2025-01-08	2616 WEXFORD CT	128	R-1	00	WARWICK ADD. SEC. 7	ROBERT S BURNETT	69	2,000.00
	PRAB202500129	2025-01-30	11100 TALLYWOOD DR	1500	A-2	2	TALLEYWOOD ACRES (UNRECORDED)	DLM CONSTRUCTORS	69	50,000.00
	PRAB202500166	2025-01-21	1821 QUAIL CREEK DR	2000	RE	2	QUAIL CREEK ACRES #1	GAROLD HOLCOMBE	69	82,000.00
	PRAB202500169	2025-01-23	9831 DAFFODIL CT	840	RE	2	HANSMEYER HGTS #1 CORR	SHELIA E. MONK	69	19,976.11
	PRAB202500306	2025-01-31	1010 72ND AVE NE	4500	A-2	2	KIRBY RANCH COS	MATT DE SANTIAGO	69	100,000.00
	PRAB202500310	2025-01-31	4619 RIDGELINE DR	525	RE	00	GRANDVIEW EST NORTH #4	BOWERS, JIM JR CONSTRUCTION CO	69	100,000.00
	12								49	705,976.11
Residential, Addition /	PRAD202403871	2025-01-17	2234 RAVENWOOD LN	288	R-1	9	HALL PARK	SUMMIT CONSTRUCTION	69	22,000.00
	PRAD202403984	2025-01-21	1119 CADDELL LN	1000	R-1	4	LEE CREST ADD	SCOTT BARBOUR	69	150,000.00
	PRAD202405696	2025-01-02	5101 WINDING OAKS LN	725	A-2	2	WOODLAND OAKS RIDGE 1	BEAU BACHELLER	€	40,720.00
	PRAD202405770	2025-01-07	820 CRUCE ST	200	R-1	4	LANDT'S SEC ADD REPLAT	TT LAND COMPANY	69	100,000.00
	PRAD202405868	2025-01-15	1220 W BROOKS ST	510	R-1	2	HETHERINGTON HEIGHTS 2ND ADD	POWER ROOFING & CONSTRUCTION	69	00.000.00
					7					Iter

		January 2025 R	eside	ntial	Pern	ry 2025 Residential Permit Activity			
PRSF202405785	2025-01-30	15151 E FRANKLIN RD	2967	A-2	5	NOT SUBDIVIDED	LILLEY SIGNATURE HOMES	69	300,000.00
PRSF202405926	2025-01-16	1614 ZAYDEN LN	3249	R-1	7	CEDAR LANE SEC. III	OPAL AND OAK	49	325,360.00
PRSF202405927	2025-01-13	1707 ZAYDEN LN	3426	R-1	7	CEDAR LANE SEC. III	OPAL AND OAK	69	306,880.00
PRSF202405988	2025-01-15	11100 TALLYWOOD DR	3825	A-2	2	TALLEYWOOD ACRES	DLM CONSTRUCTORS, LLC	€9	500,000.00
PRSF202406005	2025-01-09	3105 PESCARA DR	3116	PUD	-	SIENA SPRINGS ADD. SEC. 2	SKYVIEW CONSTRUCTION CO.,LLC	69	301,420.00
PRSF202406006	2025-01-09	3023 PESCARA DR	3116	PUD	-	SIENA SPRINGS ADD. SEC. 2	SKYVIEW CONSTRUCTION CO.,LLC	69	301,420.00
PRSF202500001	2025-01-09	3101 PESCARA DR	3348	PUD	-	SIENA SPRINGS ADD. SEC. 2	SKYVIEW CONSTRUCTION CO.,LLC	69	316,820.00
PRSF202500002	2025-01-09	3031 PESCARA DR	3097	PUD	-	SIENA SPRINGS ADD. SEC. 2	SKYVIEW CONSTRUCTION CO.,LLC	69	307,020.00
PRSF202500003	2025-01-09	3019 PESCARA DR	3097	PUD	-	SIENA SPRINGS ADD. SEC. 2	SKYVIEW CONSTRUCTION CO.,LLC	69	307,720.00
PRSF202500004	2025-01-09	3027 PESCARA DR	3223	PUD	-	SIENA SPRINGS ADD. SEC. 2	SKYVIEW CONSTRUCTION CO.,LLC	69	315,980.00
PRSF202500078	2025-01-15	3717 BEDROCK DR	2743	PUD	80	SPRINGS AT FLINT HILLS SEC. 1	LANDMARK FINE HOMES, LP	69	350,000.00
PRSF202500080	2025-01-27	4709 NORTHFIELDS LN	4700	R-1	00	CARRINGTON PLACE ADD. SEC. 14	LANDMARK FINE HOMES, LP	69	680,000.00
PRSF202500104	2025-01-24	1010 72ND AVE NE	6699	A-2	5	KIRBY RANCH COS	BYRD BUILDING CONSULTING	69	1,000,000.00
PRSF202500105	2025-01-23	5508 RAWHIDE RD	3400	PUD	m	GLENRIDGE ADD. SEC. 3	MICHELLE WISHNUCK	69	400,000.00
PRSF202500113	2025-01-16	1604 ATTICUS AVE	3330		7	CEDAR LANE SEC. III	TABER BUILT HOMES, LLC	69	480,000.00
PRSF202500115	2025-01-17	1605 ATTICUS AVE	2850	R-1	7	CEDAR LANE SEC. III	TABER BUILT HOMES, LLC	69	520,000.00
PRSF202500117	2025-01-17	1742 ZAYDEN LN	3450	R-7	7	CEDAR LANE SEC. III	TABER BUILT HOMES, LLC	69	440,000.00
PRSF202500177	2025-01-17	3738 MESA RD	2626	PUD	9	RED CANYON RANCH SEC. 8	IDEAL HOMES OF NORMAN, LP	69	248,630.00
PRSF202500229	2025-01-31	1206 WOODLAND DR	3102	R-7	4	WOODLAND ADD CORR	ROBIN WAGNER	69	299,460.00
PRSF202500244	2025-01-28	5413 WINDSTONE DR	2577	PUD	3	GLENRIDGE ADD. SEC. 3	D.R. HORTON	69	349,580.00
PRSF202500246	2025-01-28	5512 WINDSTONE DR	3268	PUD	8	GLENRIDGE ADD. SEC. 3	D.R. HORTON	69	325,780.00
PRSF202500247	2025-01-28	5508 WINDSTONE DR	2948	PUD	8	GLENRIDGE ADD. SEC. 3	D.R. HORTON	69	285,740.00
PRSF202500249	2025-01-28	5504 WINDSTONE DR	3619	PUD	3	GLENRIDGE ADD. SEC. 3	D.R. HORTON	9	365,820.00



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	PRSF202500265	2025-01-28	3809 ATTICUS AVE	4660	R-1	7	CEDAR LANE SEC. III	TABER BUILT HOMES,	89	600,000.00
	PRSF202500268	2025-01-30	1722 SAMUELS CT	2400	R-1	7	CEDAR LANE SEC. III	TABER BUILT HOMES,	\$	350,000.00
	PRSF202500275	2025-01-29	414 CAMPFIRE LN	4028	PUD	9	PINE CREEK ADD	LANDMARK FINE HOMES,	€9	580,000.00
	PRSF202500276	2025-01-29	3725 BEDROCK DR	2511	PUD	00	SPRINGS AT FLINT HILLS SEC. 1	el na cili primerimo el demontro	69	340,000.00
	PRSF202500318	2025-01-30	708 LERKIM LN	2519	PUD	00	GREENLEAF TRAILS ADD. SEC.	IDEAL HOMES OF NORMAN, LP	€9	259,980.00
	30								4	12,151,990.00
Residential, New Two Family (duplex)	PRDU202405607	2025-01-24	3213 BARLEY CT	4560	RM-2	8	SPRING BROOK #07-REPLAT	SHERIDAN HOMES LLC	69	328,000.00
	1								4	328,000.00
Residential, Pool	PRPO202405781	2025-01-08	2905 MCGEE DR	1920	R-1	2	TRAILS ADD #3	MH POOLS LLC	69	104,100.00
	PRPO202500045	2025-01-08	805 RIVER VIEW DR	1000	RE	9	WILDWOOD HILLS ESTATES	DALE ANDERSON	€9	100,000.00
	PRPO202500262	2025-01-30	3009 SUNCREST DR	420	R-1	00	LAS COLINAS ADD. SEC. 1	ARTISTIC POOLS	€9	45,000.00
	PRPO202500283	2025-01-29	3341 DRAGONFLY RD	800	PUD	9	FROST CREEK	PARADISE POOLS	€9	80,000.00
	4								4	329,100.00
Residential, Repair	PRDB202500351	2025-01-30	1317 E BOYD ST		R-1	-	SUNRISE HEIGHTS SEC #1	WINDSTONE	69	90,000.00
	1								49	90,000.00
Residential, Solar	PRSO202404450	2025-01-02	2301 E ROCK CREEK RD		A-2	9	NOT SUBDIVIDED	SHINE SOLAR DBA SHINE	65	66,348.00
	PRSO202405893	2025-01-07	4600 E ROBINSON ST		A-2	2	PECAN HEIGHTS	SHINE SOLAR DBA SHINE AIR	69	37,173.00
	PRSO202405985	2025-01-02	1519 ELK CIR		R-1	9	LAKEVIEW TERRACE 4	SUNTRIA	€9	34,663.52
	PRSO202500012	2025-01-07	418 N PETERS AVE		R-3	4	NORMAN, O T	EIGHTTWENTY	8	35,237.00
	PRSO202500079	2025-01-16	1002 ROBINHOOD LN		R-1	4	SHERWOOD FOREST #1	DELTA ENERGY SOLAR	69	16,875.00
	PRSO202500102	2025-01-10	209 CRESTMONT AVE		R-1	2	TOWN & COUNTRY ESTATES	EIGHTTWENTY	69	40,000.00
	PRSO202500109	2025-01-16	4550 48TH AVE NE		RE	2	NOT SUBDIVDED	EIGHTTWENTY	69	35,000.00
	PRSO202500128	2025-01-16	117 HORIZON VIEW CT		R-1	- 4	SUMMIT LAKES ADD. SEC. 9	ION DEVELOPER LLC DBA ION SOLAR	69	5,719.00
	PRSO202500135	2025-01-16	1426 W HAYES ST		R-1	2	WOODSLAWN 2ND ADD	ION DEVELOPER LLC DBA	69	0,00 9

			January 2025 Residential Permit Activity	dential	Perm	III ACTIVITY			
	PRSO202500191	2025-01-23	709 TERRY DR	R-1	00	WOMACK ADD	AVVIO SERVICES	69	11,900.00
	PRSO202500235	2025-01-23	2612 DUNHAM DR	R-1	-	SUMMIT LAKES ADD. SEC. 8	SUNTRIA	69	32,109.16
	11							s	321,044.68
Residential, Storm Shelter	PRSS202404281	2025-01-30	2009 EAST VIEW DR	R-1	2	EAST RIDGE ADDITION SECTION 11	OZ SAFEROOMS TECHNOLOGIES, INC	69	11,850.00
	PRSS202500008	2025-01-03	3903 PAINTED BIRD LN	PUD	9	RED CANYON RANCH SEC 4	FLATSAFE TORNADO SHELTERS	69	3,000.00
	PRSS202500013	2025-01-07	2416 TROPICANA AVE	R-1	2	ST. JAMES PARK ADD, SEC. 2	OKLAHOMA SHELTERS	69	3,900.00
	PRSS202500015	2025-01-03	727 NANCY LYNN TER	- <del>-</del>	2	UNIVERSAL HEIGHTS 2ND ADD	OKLAHOMA SHELTERS	S	3,900.00
	PRSS202500043	2025-01-06	3813 MUIR FOREST WAY	PUD	9	RED CANYON RANCH SEC. 8	STORM SAFE SHELTER, LLC	69	3,000.00
	PRSS202500086	2025-01-14	12251 GANDER LN	A-2	2	GIBSON ACRES (COS)	OZ SAFEROOMS	49	11,850.00
	PRSS202500114	2025-01-13	1604 ATTICUS AVE	R-1	7	CEDAR LANE SEC. III	STORM SAFE SHELTER, LLC	69	2,500.00
	PRSS202500118	2025-01-13	1742 ZAYDEN LN	R-1	7	CEDAR LANE SEC. III	STORM SAFE SHELTER, LLC	₩.	2,500.00
	PRSS202500154	2025-01-15	1108 MOUNT IRVING WAY	PUD	9	RED CANYON RANCH SEC. 8	STORM SAFE SHELTER, LLC	69	3,000.00
	PRSS202500172	2025-01-16	1718 DENISON DR	R-1	2	WOODSLAWN 3RD ADD	DANSBY ENGINEERING PLC-FOUND.	69	3,900.00
	PRSS202500185	2025-01-16	1922 OAKHOLLOW DR	R-1	-	OAKHURST ADD SEC 12	OKLAHOMA SHELTERS	69	3,300.00
	PRSS202500196	2025-01-17	1013 BENTBROOK PL	R-1	6	BROOKHAVEN NO 32 ADD	GROUND ZERO SHELTERS	69	4,500.00
	PRSS202500206	2025-01-21	3719 CASSIDY DR	PUD	∞	FLINT HILLS SEC. 1	STORM SAFE SHELTER,	69	3,000.00
	PRSS202500209	2025-01-29	2813 DALEWOOD PL	R-1	2	EAST RIDGE ADD #3	MADISON RICHARDSON	69	4,500.00
	PRSS202500210	2025-01-21	308 SUMMIT CREST LN	R-1	-	SUMMIT LAKES ADD. SEC. 10	GROUND ZERO	69	3,000.00
	PRSS202500234	2025-01-22	2504 EVERTON LN	R-1	2	ST. JAMES PARK SEC. 5	STORM SAFE SHELTER, LLC	69	4,600.00
	PRSS202500240	2025-01-23	1506 COUNCIL GROVE ST	PUD	00	FLINT HILLS SEC. 1	GROUND ZERO SHELTERS	69	3,000.00
	PRSS202500266	2025-01-24	3809 ATTICUS AVE	R-1	7	CEDAR LANE SEC. III	STORM SAFE SHELTER, LLC	69	2,500.00
	PRSS202500269	2025-01-24	1722 SAMUELS CT	R-1	7	CEDAR LANE SEC. III	TABER BUILT HOMES, LLC	69	2,500.00
	PRSS202500278	2025-01-24	3725 BEDROCK DR	PUD	<sub>∞</sub>	SPRINGS AT FLINT HILLS SEC. 1	STORM SAFE SHELTER,	69	5,000.00
	PRSS202500305	2025-01-28	3005 RED CEDAR WAY	PUD	00	GREENLEAF TRAILS ADD. SEC.	IDEAL HOMES OF NORMAN, LP	69	3,000.00
	PRSS202500308	2025-01-27	5519 WINDSTONE DR	PUD	3	GLENRIDGE ADD. SEC. 3	STORM SAFE SHELTER,	69	4,50

			January 2025 Residential Permit Activity	idential F	)ern	nit Activity			
	PRSS202500313	2025-01-28	15151 E FRANKLIN RD	A-2	2	NOT SUBDIVIDED	STORM SAFE SHELTER,	5	2,800.00
	PRSS202500341	2025-01-29	712 GOSHAWK DR	R-1	7	EAGLE CLIFF ADD #6	STORM SAFE SHELTER,	69	2,850.00
	PRSS202500344	2025-01-30	4009 BANDERA TRL	PUD	9	LITTLE RIVER TRAILS ADD, SEC STORM SAFE SHELTER, 1	STORM SAFE SHELTER, LLC	€9	3,800.00
	25							49	102,250.00
Residential, Water Well	PRWL202500052	2025-01-07	11100 TALLYWOOD DR	A-2	2	NOT SUBDIVIDED	DLM CONSTRUCTORS LLC		N/A
	PRWL202500054	2025-01-09	5706 JOHN DALTON RD	A-2	2	JOHN DALTON RIDGE COS	HOOD, TRINA R & ROBIN		N/A
	PRWL202500146	2025-01-22	9908 144TH AVE NE	A-2	2	PRIDE #034	STITT, DAVID & MISTY		N/A
	PRWL202500237	2025-01-22	9908 144TH AVE NE	A-2	2	PRIDE #034	STITT, DAVID & MISTY		N/A
	4								N/A
Total	113							\$ 2	23,564,534.79

January	January 2025 Residential Permit Activity	Permit Activity
CATEGORY	COUNT	VALUATION
Multi-Family, New Multi-Unit Residential	-	\$ 7,688,454.00
Multi-Family, Repair	1	\$ 30,000.00
Residential, Accessory Structure	12	\$ 705,976.11
Residential, Addition / Alteration	18	\$ 1,956,220.00
Residential, Carport	7	\$ 9,500.00
Residential, Demolition	ဇ	N/A
Residential, Manufactured Home	-	\$ 2,000.00
Residential, New Single Family Dwelling	30	\$ 12,151,990.00
Residential, New Two Family (duplex)	1	\$ 328,000.00
Residential, Pool	4	\$ 329,100.00
Residential, Repair	-	\$ 90,000.00
Residential, Solar	11	\$ 321,044.68
Residential, Storm Shelter	25	\$ 102,250.00
Residential, Water Well	4	N/A
Total	113	\$ 23,714,534.79

			January 2	025 No	n-Res	iden	January 2025 Non-Residential Permit Activity				
Reporting Code	Permit	Date Issued	Address	Sq Ft	Zoning	Ward	Subdivision	Contractor	Tenant	>	Valuation
Commercial, Addition / Alteration	PRAD202403019	2025-01-10	419 S UNIVERSITY BLVD	407	CCFB	4	WAGGONER'S T.R. FIRST ADD	BIRD DOG CONSTRUCTION	MCFARLIN UNITED METHODIST CHURCH	49	100,000.00
	PRAD202405429	2025-01-02	2252 36TH AVE NW 100	768	-5	3	BROOKHAVEN OFFICE PARK	WINDSTONE	PET DENTAL USA	69	215,000.00
	PRAD202405715	2025-01-27	3310 108TH AVE NE	2950	A-2	2	SCHOOL PROPERTY	MILLER-TIPPENS CONSTRUCTION	LAKEVIEW	49	775,000.00
	PRAD202405717	2025-01-03	1601 24TH AVE SE	551	A-2	5	SCHOOL PROPERTY	MILLER-TIPPENS CONSTRUCTION	REAGAN ELEMENTARY	69	381,250.00
	PRAD202405727	2025-01-03	600 48TH AVE SE	2620	A-2	5	SCHOOL PROPERTY	MILLER-TIPPENS CONSTRUCTION	WASHINGTON	49	562,500.00
	PRAD202405729	2025-01-03	800 N PETERS AVE	926	A-2	4	JONES ADD, J A	MILLER-TIPPENS CONSTRUCTION	WILSON ELEMENTARY	€9	31,250.00
	PRAD202405730	2025-01-27	4100 N FLOOD AVE	860	ī	80	PEPCO INC PARK PHASE I	MILLER-TIPPENS CONSTRUCTION	INSTRUCTIONAL SERVICES CENTER	€9	68,750.00
i naji sharabi Nis	PRAD202405740	2025-01-07	500 N SHERRY AVE	3250	R-1	2	NOT SUBDIVDED/SCHOOL PROPERTY	MANHATTAN	CLEVELAND	69	1,800,000.00
×211000	PRAD202405749	2025-01-07	215 N PONCA AVE	2630	A-2	4	NORMAN OT	MANHATTAN	LONGFELLOW MIDDLE SCHOOL	69	622,500.00
	PRAD202405858	2025-01-02	620 24TH AVE SW	4774	-0	2	PEPPERTREE NO 2	LUKE BALL	NERVE RENEWAL CLINIC	€9	245,000.00
	PRAD202405918	2025-01-03	900 N PORTER AVE	877	C-2	4	HIGHLAND ADDITION	ALL ABOUT REMODELING 900 PORTER LLC	900 PORTER LLC	69	10,000.00
	PRAD202405945	2025-01-17	3000 E ROBINSON ST	52	A-2	9	NOT SUBDIVIDED/CITY PROPERTY	M.A.P WIRELESS	T-MOBILE	49	40,000.00
	PRAD202500011	2025-01-22	1628 24TH AVE NW	5464	PUD	80	RPLT LT1 BL2 UNIV. N. PARK 1	THOMAS LIBERTO	HIBBETT SPORTS	₩.	93,760.00
	PRAD202500016	2025-01-16	1225 W LINDSEY ST	1430	C-2	2	LYDICKS FIRST	JERRY EVANS	BARBER SHOP	69	15,000.00
	PRAD202500075	2025-01-28	121 N PORTER AVE	2800	C-3	4	NORMAN, O T	ZION CONSTRUCTION	D & B BOOT AND SHOE	49	15,000.00
	PRAD202500140	2025-01-30	1580 24TH AVE NW	2150	PUD	00	RPLT LT1 BL2 UNIV. N. PARK 1	TENANT BUILD INC.	TJMAXX	69	49,000.00
	PRAD202500141	2025-01-30	1302 LINDSEY PLAZA DR	3600	C-2	-	EAST LINDSEY PLAZA #3	JOSHUA LAUDAN	FLING DISC GOLF, LLC	€	1,000.00
	17									5	5,025,010.00
Commercial, Fire	9									5	195,641.00
Commercial, New Commercial Building	PRNR202403361	2025-01-14	615 E ROBINSON ST	27558	R-1	9	NOT SUBDIVIDED/COUNTY PROPERTY	CROSSLAND CONSTRUCTION CO,INC.	CLEVELAND COUNTY FAIRGROUNDS	69	8,000,000.00
	-									\$	8,000,000.00
Total	24									ς, Γ	13,220,651.00

January 202	5 Non-Re	sidential F	Permit Activit	ty
Category	Count		Valuation	
Commercial, Addition / Alteration	17	\$	40 40 40	5,025,010.00
Commercial, Fire	6	\$		195,641.00
Commercial, New Commercial Building	1	\$		8,000,000.00
Total	24	\$		13,220,651.00



#### Monthly Permit Activity Summary with Details January 2025

			2025		2024
Group	Category	Permits	Valuation	Permits	Valuation
	Multi-Family, Addition / Alteration			7	\$584,752.0
	Multi-Family, Demolition			1	\$13,000.0
	Multi-Family, Fire			5	\$50,978.2
	Multi-Family, Foundation Only			2	\$930,000.0
	Multi-Family, New Multi-Unit Residential	1	\$7,688,454.00	2	\$3,100,000.0
	Multi-Family, Repair	1	\$15,000.00	3	\$800,792.0
	Residential, Accessory Structure	12	\$705,976.11	104	\$4,329,180.2
	Residential, Acessory Dwelling Unit			8	\$686,000.0
R	Residential, Addition / Alteration	18	\$1,806,220.00	112	\$10,048,764.2
RESIDENTIAL	Residential, CarPort	1	\$9,500.00	35	\$238,739.3
E	Residential, Demolition	3		38	\$135,500.0
Ħ	Residential, Fire			2	\$187,000.0
AL	Residential, Manufactured Home	1	\$2,000.00	8	\$818,078.0
	Residential, New Single Family Dwelling	30	\$12,151,990.00	427	\$163,999,298.8
	Residential, New Two Family (duplex)	1	\$328,000.00	2	\$1,170,000.0
	Residential, Pool	4	\$329,100.00	80	\$7,215,726.0
	Residential, Repair	1	\$90,000.00	15	\$1,249,221.0
	Residential, Solar	11	\$321,044.68	151	\$4,466,212.5
	Residential, Storm Shelter	25	\$102,250.00	282	\$1,197,965.0
	Residential, Water Well	4		10	100 100 100 100 100 100 100 100 100 100
	Total	113	\$23,564,534.79	1,294	\$201,221,207.5
	Commercial, Addition / Alteration	17	\$5,025,010.00	120	\$51,331,576.0
	Commercial, Addition	17	\$5,025,010.00	15	\$295,000.0
	Commercial, Fire	6	\$195,641.00	63	\$1,609,119.1
	Commercial, Foundation Only	0	\$195,641.00	3	
		1	\$8,000,000,00		\$3,200,000.0
	Commercial, New Commercial Building	1	\$8,000,000.00	31	\$60,780,677.0
O	Commercial, Pool			1	\$250,000.0
NON-RESIDENTIAL	Commercial, RCF/RDCF			5	40.040.000.0
Æ	Commercial, Repair			15	\$8,918,929.0
SE SE	Commercial, Solar			4	\$777,603.0
E	Industrial, Addition / Alteration			1	\$550,000.0
T A	Industrial, Fire			1	\$92,000.0
	Industrial, Foundation Only			1	\$450,000.0
	Industrial, New Commercial Building			1	\$200,000.0
	Institutional, Addition / Alteration			2	\$2,350,000.0
	Institutional, Demolition	Mark Control		1	
	Institutional, Fire	1 4 7 at 12 at 14		10	\$400,975.0
	Total	24	\$13,220,651.00	274	\$131,205,879.1
	# of New Dwelling Units	81		457	
	All Field Inspections	1,735		22,666	
	Certificate of Completion (CC)	578		3,188	
	Certificate of Occupancy (CO)	49		627	al de Carrott Charles
	Demo # of Dwelling Units	3		37	and the stands
	Demolition	100		6	
0	Electrical Permit	102		1,336	
로	Fire			1	
띴	Garage Sale	7		843	
AC	Mechanical Permit	63		1,240	
OTHER ACTIVITY	Paving (PRIVATE PROPERTY)	2	\$10,000.00	95	\$761,735.5
Ē	Plumbing Permit	136		1,563	
~	Public Works	19	\$2,164,543.17	178	\$3,377,959.5
	Sign	8	\$11,700.00	243	\$755,465.
	Street Closure(Not Event)		ψ11,700.00	2	ψ100, <del>1</del> 00.
	Structure Moving	1		16	
	Temporary Structure	3		22	
			60 400 040 47		64.005.405
	Total	2,787	\$2,186,243.17	32,520	\$4,895,160.0

# POLICE 11





# NORMAN POLICE DEPARTMENT

MONTHLY DEPARTMENT OVERVIEW



JANUARY | 2025

## **MONTHLY ACTIVITY OVERVIEW**

SUMMARY OF REPORTED OFFENSES	2025	5-YEAR AVERAGE	2024
MURDER	1	0	0
SEXUAL ASSAULTS	10	13	15
ROBBERY	1	3	1
AGGRAVATED ASSAULTS	21	25	28
BURGLARY OF BUILDING	31	42	36
LARCENY/THEFT	159	210	172
MOTOR VEHICLE THEFT	18	34	34
ARSON	0	0	0
KIDNAPPING	1	1	2
FRAUD/FORGERY	49	75	66
DUI/APC	20	28	33
PUBLIC INTOXICATION	36	37	47
RUNAWAYS	59	29	13
DRUG VIOLATIONS	59	47	65
THREATS/HARASSMENT	39	37	20
VANDALISM	70	79	89
OTHER	575	559	599
TOTAL REPORTED OFFENSES	1,149	1,221	1,220
TOTAL ARRESTS:	613	613	691
PROTECTIVE CUSTODY:	41	75	88
TOTAL CASE REPORTS*	923	968	943
COLLISIONS	149	151	157
FATALITY	0	0	0
INJURY	20	22	20
NON-INJURY	129	129	137
NUMBER OF PEOPLE INJURED	26	30	22
CITATIONS & WARNINGS	3,333	2,347	3,304
TRAFFIC CITATIONS	1,122	704	1,084
TRAFFIC WARNINGS	1,711	1,170	1,702
PARKING CITATIONS & WARNINGS	500	473	518

#### COMMUNICATIONS CENTER ACTIVITY OVERVIEW

911 CALLS TAKEN: 4,414

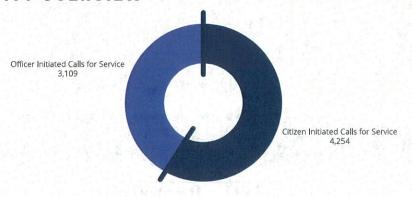
NON-EMERGENCY CALLS TAKEN: 15,042

**TOTAL INCOMING CALLS: 19,456** 

**TOTAL CALLS FOR SERVICE GENERATED: 11,407** 

POLICE CALLS FOR SERVICE: 7,363 OFFICER INITIATED: 3,109 CITIZEN INITIATED: 4,254

OTHER CAD ACTIVITY:
NORMAN FIRE: 1,853
EMSSTAT: 2.191



#### INVESTIGATIONS ACTIVITY

CASES OPEN DURING REPORTING PERIOD: 189

CASES ASSIGNED DURING THE CURRENT REPORTING PERIOD: 82

CASES CLOSED DURING REPORTING PERIOD: 430

CLEARED BY ARREST / WARRANT: 8

CLEARED BY EXCEPTION: 27

COP FOLLOW-UP: 6
DEACTIVATED: 348

DEACTIVATED DUE TO STAFFING: 16 MISSING PERSONS RECOVERED: 7

REFERRED INTERNALLY: 18

UNFOUNDED: 0

## **ANIMAL WELFARE**

INTAKES: 192

LIVE RELEASES: 207

LIVE OUTCOME RATE: 93% ANIMALS FOSTERED: 44 VOLUNTEER HOURS: 293

#### RECORDS

CUSTOMER SERVICE CONTACTS: 1,972

IN-PERSON CONTACTS: 745 PHONE CONTACTS: 639 EMAIL CONTACTS: 588

#### DEPARTMENT STAFFING

AUTHORIZED COMMISSIONED: 184

ACTUAL EMPLOYED: 172

AVAILABLE FOR ASSIGNMENT: 151\*\*

AUTHORIZED NON-COMMISSIONED: 77
ACTUAL NON-COMMISSIONED: 72
AVAILABLE FOR ASSIGNMENT: 71\*\*

<sup>\*</sup>This number is less than reported crime due to multiple offenses occurring or being reported as part of one case report.

\*\*This number reflects personnel available for assignment. This does not include individuals on non-discretionary leave, in the police academy, or in field training.

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Charles ....

# ANIMAL CONTROL 11A

# Norman Animal Welfare Monthly Statistical Report January 2025



#### IN SHELTER ANIMAL COUNTS

		2024			2025		Compa	risons
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percent
Beginning	93	54	147	88	42	130	(17)	-12%
Ending	73	43	116	75	45	120	4	3%

#### ANIMAL INTAKES

		2024			2025		Compa	risons
	Canine	Feline	Total	Canine	Feline	Total	Difference	Percen
Stray at Large	89	48	137	79	51	130	(7)	-5%
Owner Relinquish	22	21	43	13	27	40	(3)	-7%
Owner Intended Euth	1	0	1	1	0	1	0	0%
Transfer In	0	3	3	0	0	0	(3)	-100%
Other Intakes*	0	0	0	7	2	9	9	#DIVA
Returned Animal	10	4	14	8	4	12	(2)	-14%
TOTAL LIVE INTAKES	122	76	198	108	84	192	(6)	-3%

#### OTHER STATISTICS

					Compa	arisons
	2024	Total	2025	Total	Difference	Percen
Wildlife Collected (DOA)	0	0	0	0	0	#DIV/0
Dog Collected (DOA)	1	1	0	0	(1)	-100%
Cat Collected (DOA)	1	1	2	2	1	100%
Wildlife Transferred	1	1	1	1	0	0%
Intake Horses	0	0	0	0	0	#D1V/9
Intake Cows	0	0	0	0	0	. #DIV/0
Intake Goats	1	1	0	0	(1)	-100%
Intake Sheep	0	0	0	0	0	· #DIV/0
Intake Rabbits	0	0	0	0	0	#DIV40
Intake Pigs	0	0	0	0	0	#DIVA
Intake Other	80	80	0	0	(80)	-100%
TOTAL OTHER ITEMS	84	84	3	3	(81)	-96%

#### LENGTH OF STAY (DAYS)

	2024	2025	
Dog	41.2	21.1	7
Puppy	9.5	11.4	7
Cat	15	12.7	
Kitten	10.7	11.1	7

## OWNER SURRENDER PENDING INTAKE

	Canine	Feline	Other	Total
Animals	164	14	0	178

# Norman Animal Welfare Monthly Statistical Report January 2025



#### LIVE ANIMAL OUTCOMES

	2024		
	Canine	Feline	Total
Adoption	66	64	130
Return To Owner	23	3	26
Transferred Out	21	18	39
Returned to Field	0	19	19
Returned to Owner in Field	19	0	19
TOTAL LIVE OUTCOMES	129	104	233

2025				
Canine	Feline	Total		
74	63	137		
31	5	36		
4	0	4		
0	9	9		
21	0	21		
130	77	207		

Comparisons				
Difference	Percent			
7	5%			
10	38%			
(35)	-90%			
(10)	-53%			
(26)	-11%			

#### OTHER ANIMAL OUTCOMES

	2024			
	Canine	Feline	Total	
Died in Care	3	0	3	
Lost in Care	0	1	1	
Shelter Euth	9	0	9	
Owner Intended Euth	1	0	1	
TOTAL OTHER OUTCOMES	13	1	14	

2025						
Canine	Feline	Total				
1	1	2				
0	0	0				
10	3	13				
1	0	1				
12	4	16				

Comparisons				
Difference	Percent			
(1)	-33%			
(1)	-100%			
4	44%			
0	0%			
2	14%			

## TOTAL OUTCOMES

	2024		
	Canine	Feline	Total
Total Live Outcomes	129	104	233
Total Other Outcomes	13	1	14
TOTAL OUTCOMES	142	105	247

	2025	
Canine	Feline	Total
130	77	207
12	4	16
142	81	223

Comparisons				
Difference Perce				
(26)	-11%			
2	14%			
(24)	-10%			

#### SHELTER EUTHANASIA DATA

	Canine	Feline	Other
Medical - Sick	1	2	0
Medical - Injured	3	- mariful discount	0
Behavior - Aggressive	4	0	0
Behavior - Other	2	0	0
TOTAL EUTHANASIA	10	3	0

Total	Percentage
3	23%
4	31%
4	31%
2	15%
13	Maria Serias

#### MONTHLY LIVE RELEASE RATE

	2024	2025	
	94.7%	93.2%	
SAPLE.			Live Outcomes / (Total Outcomes - Owner Int Euth)

**PUBLIC WORKS** 

12

# DEPARTMENT OF PUBLIC WORKS MONTHLY PROGRESS REPORT CITY OF NORMAN, OKLAHOMA

January 2025

#### **ENGINEERING DIVISION**

#### DEVELOPMENT

The Development Manager processed three (3) Rural Certificates of Survey and one (1) Preliminary Plat for Planning Commission; one (1) Final Plat for the Development Committee; and one (1) Certificate of Plan Correction. The Development Engineer reviewed 29 sets of construction plans and two (2) punch lists. There were 137 permits reviewed and/or issued. Fees were collected in the amount of \$17,275.57.

#### **CAPITAL PROJECTS:**

#### Gray Street Two-Way Conversion - University Boulevard to Porter Avenue:

On April 2, 2019, the citizens of Norman voted in favor of a Bond Issue to finance the local share of 19 transportation improvement projects. The Gray Street Two-Way 2019 Bond Project consists of the conversion of Gray Street from a one-way street to a two-way street between University Avenue and Porter Avenue, and the installation of streetscape elements along Gray Street. The intersection with James Garner Avenue will be entirely reconstructed to accommodate the future James Garner Phase 3 2019 Bond Project. In addition to the roadway and streetscape work, improvements are required to the railroad crossing just east of James Garner Avenue. The total construction cost for the project is approximately \$7.5 million. Of that, approximately \$4.9 million will be paid by federal grants. The remaining \$2.6 million will be paid for through the City of Noman 2019 Bond Program.

The Oklahoma Department of Transportation (ODOT) conducted a bid opening on March 21, 2024, for the Gray Street Two-Way 2019 Bond Project. The low bidder was Ellsworth Construction, LLC of Oklahoma City, Oklahoma. ODOT awarded the project on April 1, 2024. Construction started on Monday, August 5, 2024, and there are 360 calendar days in the project. This timeframe will likely require just over a year to complete. ODOT is administering the construction of this project, with the assistance of WSB.

#### Proposed improvements include:

- New sidewalks
- Conversion to reverse angle parking for on-street spaces
- New decorative roadway lighting
- Landscaping
- Decorative paving elements
- New curb and gutter
- New decorative traffic signals
- Pedestrian safety improvements
- Revised signing and striping for two-way operation
- Reconstruction of the James Garner Avenue intersection
- New gates and controls for two-way operation of the railroad crossing

As of the last pay application on 1/31/25, 17.33% of the total contract amount has been expended. Through 1/31/25, 35.83% of the contract time has expired.

The contractor's activities this month were as follows:

- Construction of concrete paving and curb and gutter on the north side of Gray Street between Peters Avenue and Jones Avenue and between James Garner Avenue and Santa Fe Avenue
- Construction of drainage structures at Peters Avenue on the north side of Gray Street
- Construction of asphalt paving on the north side of Gray Street between Crawford Avenue and Peters Avenue
- Construction of lighting conduit, lighting bases and irrigation lines underground on the north side of Gray Street between Peters Avenue and Jones Avenue and between James Garner Avenue and Santa Fe Avenue
- Construction of sidewalks on the north side of Gray Street between Peters Avenue and Jones Avenue and between James Garner Avenue and Santa Fe Avenue

#### Sidewalk Programs:

Lindsey Street Sidewalk Repair Project This project is 80% funded through an ACOG grant. This project will include removal and replacement of sidewalks, ramps, driveways and pedestrian push button actuators along Lindsey Street from 12th Avenue SE to 24th Avenue SE on the north and south sides of Lindsey Street. A preconstruction meeting is scheduled for February 19th and construction is anticipated to start in April of 2025.

Monthly Progress Report
Public Works (January 2025)

12th Ave NE and W Brooks Street Sidewalk Project This project is 80% funded through an ACOG grant and is currently on hold while an environmental review is completed. This project will include placement of sidewalks, ramps, and driveways along 12th Avenue NE from East Robinson Street to East Rock Creek Road and West Brooks Street from South Pickard Avenue to Wylie Road. Construction is anticipated to start in the late summer/fall of 2025.

FYE 2025 Sidewalk Concrete Projects This project was awarded to Arroyo's Concrete LLC on July 23, 2024 and is currently under construction. This contract includes Citywide Sidewalk Reconstruction Projects, Sidewalk Accessibility Projects, Sidewalk Program for Schools and Arterials Projects, Downtown Area Sidewalks and Sidewalks and Trails. This contract will be ongoing through June of 2025.

Flood Multimodal Path This project was awarded to Parathon Construction and is currently under construction. This contract includes a 10' wide multi use path along the west side of Flood Avenue from Robinson Street to Tecumseh Road. The contractor has completed approximately 65% of the work and have expended approximately 75% of the time allotted for the project. The contract is for 180 days the start date was 9/3/2024 and current completion date due to weather delays is 3/31/2025.

State Highway 9 Multi Use Path This project is 80% funded through an ACOG grant and is currently in design, 90% plans have been completed and are in review at this time. This project will include the construction of a 10' wide Multi Use Path from 48th Ave SE to 72nd Ave SE along the north side of State Highway 9. Construction is anticipated to start in the fall of 2025.

#### **Street Maintenance Bond Programs:**

#### FYE 2025 Street Maintenance Bond - Urban Concrete 1

Urban Concrete 2 bids were opened on June 13, 2024. 8 bids were received and the contract was awarded on July 9, 2024 to Ellsworth Construction in the amount of \$1,191,250.50. The project consists of select panel replacement on existing concrete streets. The project is anticipated to be completed by April 2025. The contractor mobilized on September 30, 2023. During the month of January, the contractor continued work on Merkle Drive.

#### FYE 2025 Street Maintenance Bond - Urban Concrete 2

Urban Concrete Bid 2 bids were opened on June 13, 2024. 8 bids were received and the contract was awarded on July 9, 2024 to Ellsworth Construction in the amount of \$1,272,530.00. The project consists of select panel replacement on existing concrete streets. The project is anticipated to be completed by April 2025. During the month of January, the contractor began work in the Westwood Estates addition on Parkland Way.

#### **Bridge Maintenance Bond:**

#### 60th Ave NE Bridge Replacement

The 60<sup>th</sup> Ave NE Bridge Replacement bids were opened on June 22, 2023. 3 bids were received and the contract was awarded to K&R Builders in the amount of \$3,043,805.25. The project consists of removal of the existing bridge, minor channel clean-up, construction of a new bridge, and roadway grade adjustments. The project is anticipated to be completed by February 2025. During the month of January, the contractor began fill operations for the construction of the roadway, installed additional riprap, and began trenching operations to place storm sewer.

#### TRANSIT AND PARKING DIVISION

#### **PUBLIC TRANSIT**

#### Go Norman Transit Plan (City of Norman Transit Long Range Plan Update)

The Go Norman Transit Plan was approved by resolution by Council on June 22, 2021. On December 13, 2022 Council approved a resolution to alter transit bus service as recommended in the Plan. The route changes were effective October 16, 2023 after many months of implementation work, including the remodel of 320 E. Comanche into the Norman Transit Center. Staff are continuing to move forward on the next steps as recommended in the plan. Recent work includes:

#### Monthly Progress Report

Public Works (January 2025)

#### Vehicle Procurement

The City is in the process of purchasing 6 CNG cutaway transit buses for the paratransit fleet. Below is background on this purchase:

- On June 11, 2024, Council adopted resolution R-2324-149 formally accepting the grant and authorizing the purchase. After additional approvals to enhance the vehicles the revised cost share per bus is \$129,452 federal (72%) and \$51,998 local match (28%), resulting in \$181,450 total per bus. Thus the proposed cost share for 6 cutaway buses is \$776,714 federal (72%) and \$311,986 local (28%), resulting in a \$1,088,700 total cost for 6 units.
- A trip is currently being planned for early March 2025 to inspect the vehicles prior to delivery to ensure quality and that order specifications are being met.

#### Service Expansion Priorities

Following implementation of the new route network in October 2023, and then increasing the frequency of service on Route 112 (West Lindsey) from 60 minutes to 30 minutes (*priority 2*), City Transit staff continue to review the next priorities recommended by the Go Norman Transit Plan:

- <u>Priority 1: Sunday Service</u> Proposed Sunday service span and trip frequencies would match current Saturday service levels. Sunday transit service is currently being offered and evaluated as part of the Norman On-Demand microtransit pilot program.
- Priority 3: Increased Frequency on Route 110 This service expansion upgrades the trip frequency of Route 110 (Main St/24th Ave NW) from 60 minutes to 30 minutes. Staff are re-evaluating the timing of this priority in relation to the current ridership, expected development along the route, and other transit needs.
- o <u>Priority 4: Implementation of New Route 113</u> This service expansion would add a new route in Southeast Norman operating with a 30-minute frequency. The proposed route, as recommended in the plan, would operate along Classen Blvd, Constitution St, Oak Tree Ave, 12th Ave SE, Cedar Ln and then turnaround near Cedar Ln and Classen Blvd.

#### Microtransit Pilot Program with Via Transportation - Norman On-Demand

On July 9, 2024, Council approved contract amendments with both Via Transportation and the University
of Oklahoma to extend the expanded service through the end of summer 2025. The service entered its
second year of operation on August 20, 2024. Staff are exploring options for this pilot program's future as
we near the midpoint of its second year of operation. More details can be found in the attached monthly
performance report for Norman On-Demand.

#### **Transit Monthly Performance Reports**

Attached are both the EMBARK Norman Performance Report and the Norman On-Demand Performance Reports for December 2024.

#### STREETS DIVISION

#### CAPITAL PROJECTS

- Savannah Addition: On Halray Drive crews replaced concrete panels that required 38 cubic yards of concrete and resulted in over 92 square yards repaired
- 48<sup>th</sup> Avenue NE Robinson Street to Rock Creek asphalt road deep patch and overlay required 140.93 tons of asphalt for the repair.

#### **SNOW AND ICE OPERATIONS**

- Spread 375 tons of sand and salt mix
- 17,000 gallons of brine mixture, 70 miles of roads were treated with brine mixture

#### STORMWATER DIVISION

#### STORMWATER CAPITAL PROJECTS

#### FYE 2025 Drainage Rehabilitation Project

The City of Norman's Stormwater Division is responsible for the maintenance of a vast network of stormwater inlets, flumes, vegetated channels, and storm sewer lines. Many of the City's inlets are decades old and built of brick and mortar. Over time, the brick and mortar inlets have demanded an outsized maintenance effort.

Monthly Progress Report

Public Works (January 2025)

Intent on reducing the maintenance burden and building off the success of FYE 2023 Inlet Rehabilitation Project, staff has continued to add locations to the list of inlets and other drainage infrastructure in most need of replacement. This is a city-wide project. This project will also construct a concrete flume in the vicinity of Rowena Lane where homeowners have experienced excessive standing water due to the existing poor drainage conditions.

The Drainage Rehabilitation Project will affect all wards in the City. Construction activities include removal of old brick and mortar inlet structures and construction of new concrete inlet structures, removal and replacement of sidewalk, and construction of a new flexamat-lined channel and flume. Such construction activities are necessary to improve the condition of the City's stormwater infrastructure and decrease the required maintenance intervals.

During the month of January, the contractor completed construction of inlets located at 825 Terrace Place, 1916 Whispering Pines, and 1330 Whippoorwill Drive.

#### **WORK ORDER RESPONSE**

Stormwater Division received 16 work order requests and closed 16 work orders.

#### INFRASTRUCTURE MAINTENANCE

The Infrastructure Maintenance Crew

- Removed broken grates and replaced with new ones at 608 Coopers Hawk Drive
- Installed 44 feet of 15 inch arch pipe with head walls at 3989 NE 120th Avenue

#### **CHANNEL MAINTENANCE**

The Channel Maintenance Crew

- · Sealed a crack in channel wall, removed debris and vegetation from Imhoff Channel.
- Removed debris from near 707 Terrace Place in Merkle Channel.
- Patched a sinkhole at the intersection of Boyd Street and Pickard Avenue
- Removed aquatic rodent dams in Prairie Creek.
- Mowed 19,866 square feet of drainage areas.

#### **URBAN STREET SWEEPING/CAMERA VAN OPERATIONS**

The Street Sweeping/Camera Crew

- 312 Iane miles were swept in February resulting in the removal of approximately 117.90 tons of debris
  from various curb-lined streets throughout the city.
- The Camera Crew was able to camera 1,566.00 linear feet of stormwater infrastructure before camera went down for repairs.

#### **INLET CLEARING OPERATIONS**

Stormwater crews checked 1,364 inlets and cleaned 466 inlets totaling 2.75 tons of debris removed in Ward 2, 3 and 4

#### STORMWATER OKIE LOCATES

During the month of January 2,421 Call 811 Okie Spots were received. Of those requests, 158 were marked stormwater pipe locates.

#### **FLEET DIVISION**

The Fleet Management Division Activity Report shows a comprehensive summary of the activity during the month, broken down into three subgroups: Fuel Report, Maintenance Report, and Productivity Report.

#### **FUEL REPORT**

<u>Purchases:</u> The Inventory fuel and Outside fuel purchases are added together for each category of fuel - Unleaded gasoline, Diesel fuel, and CNG.

Amount Sold: The amount of Inventory fuel and Outside fuel disbursed to city divisions are shown.

Monthly Progress Report

Public Works (January 2025)

<u>Price Per Gallon</u>: For Inventory Purchases, each time a purchase is made the invoice information, such as quantity and total price is receipted into AssetWorks system. The AssetWorks program then tallies the information and decides on a price-per-gallon for that purchase. The monthly high and the monthly low price-per-gallon for unleaded gasoline and diesel fuel are shown.

#### MAINTENANCE REPORT

Repair Parts Sold: This shows the amount of money spent on repair parts for vehicles during the month.

<u>Tires Sold:</u> This shows the amount of money spent on tires for city vehicles during the month.

Total Parts Sold: This is the sum of Repair Parts and Tires Sold added together.

Sublet Repairs: This is the amount spent on outside repairs during the month.

Road Calls: This is the amount of times Fleet was called out to retrieve/repair a vehicle.

<u>Preventative Maintenance Services:</u> This is the amount of times a vehicle failed to make the appointed preventative maintenance service and had to be rescheduled.

Total Work Orders: This is the amount of work orders for the entire month.

Year to Date Work Order Total: This is the amount of work orders for the entire year.

#### PRODUCTIVITY REPORT

<u>Direct Labor Hours:</u> Each mechanic's total direct labor hours are shown. Then the direct labor hours are tallied together. After that the total available hours are shown to assess productivity.

<u>Productivity Goal:</u> When mechanics are productive at 70%, meaning that 70% of their day was spent actually working on vehicles, the City of Norman is in equilibrium. We are able to use the money generated from their direct labor to pay wages, benefits and the utilities.

Actual Productivity: This is the average percent of all the mechanics' total productivity during the available working hours for the month.

# JANUARY 2025 DEVELOPMENT COORDINATION, ENGINEERING AND PERMIT REVIEW

FYE 2025 Associated Fees **Subdivision Development:** Planning Commission/Dev Comm Review: This Month Last Month FY Total \*Norman Rural Cert of Survey... 1 \*Final Plats..... 3 3 \*Preliminary Plats..... 0 \*Short Form Plat..... \*Center City Form Based Code.. 0 0 \*Concurrent Constr. Request... City Council Review: 3 Certificate of Survey..... Preliminary Plat..... 1 Final Plats ..... 1 Certificate of Plat Correction..... 1 0 Encroachment.... Easements..... 0 Closure..... 0 Release of Deferral..... 0 \$11,070.00 **Development Committee:** Final Plats.... 1 \$0.00 Fee-In-Lieu of Detention..... \$41,520.00 Subtotal: \$11,070.00 \$7,830.00 Permits Reviewed/Issued: (includes Offsite Construction fees) Multi-Family...... 1 Paving Only...... 2 Storage Building...... 10 Swimming Pool...... 4 Franchise Utilities ..... Other revenue ..... \$0.00 \$0.00 \$1,600.00 Flood Plain (@\$100.00 each)...... 1 \$100.00 \$100.00 \$6,105.57 \$4,741.28 \$33,962.82 Total Permits..... \$69,564.82 \$12,671.28 Grand Total..... \$17,275.57 11 146 \*\*\*\*Construction Plan Review Occurrences 29 \*\*\*\*\*Punch Lists Prepared..... 2 1 14 \* All Final Plat review completed within ten days...... PI # 13 \*\* All Single Family Permits were reviewed and completed within three days....PI # 10

# **JANUARY 2025**

# DEVELOPMENT COORDINATION, ENGINEERING, AND PERMIT REVIEW

# KEN DANNER/TODD McLELLAN/LANDON GUM

	NUMBER OF INSTANCES	PERCENTAGE ACHIEVED
PI #8 PREPARE DEVELOPMENT PUNCH LIST WITHIN 1 DAY OF FINAL INSPECTION	2	100%
PI #10 SINGLE FAMILY BLDG PERMIT REVIEW W/I 3 DAYS	29	100%
PI #11 COMMERCIAL BLDG PERMIT REVIEW W/I 7 DAYS	24	100%
PI #12 CONSTRUCTION PLAN REVIEW W/I 10 DAYS	29	100%
PI #13 FINAL PLAT REVIEW COMPLETED WITHIN 10 DAYS	0	100%



#### Summary of Services Table: December 2024

PERFORMANCE REPORT

The table below provides daily averages for the number of passengers carried by many of the services offered by EMBARK Norman. The year-to-date (YTD) figures are cumulative totals.

EMBARK Norman Service Summary	ADP Dec FY25	FY25 YTD	FY24 YTD	Service Profile	Dec FY25	Dec FY24
Fixed Routes (M-F)	1,567	217,257	173,462	Weekdays	21	20
Fixed Routes (Sat)	905	21,125	18,210	Saturdays	4	4
PLUS (M-F)	91	12,876	11,274	Gamedays	0	0
-Zone 1*	64	9,282	8,420	Holidays	7.1	100 101 1
-Zone 2**	27	3,594	2,854	Weather	0	1
PLUS (Sat)***	17	514	552	Fiscal YTD Days	153	153
				Cal. YTD Days	307	306

<sup>\*</sup>Requires ¾ mile

#### **Strategic Performance Measures**

MEASURE	FY 25	FY 25	
PILASONE	YTD	Targets	*********
# of Norman fixed-route passenger trips provided	238,382	400,000	
# of Norman paratransit trips provided	13,390	23,800	
% of on-time Norman paratransit pick-ups	97.28%	98.58%	
# of Norman bus passengers per service hour, cumulative	20.79	21.14	
# of Norman bus passengers per day, average	1,564*	800*	
% of Norman required paratransit pick-ups denied due to capacity	1.00%*	0.00%	
% of on-time fixed-route arrivals	67.22%	75.00%	

<sup>\*</sup>These targets are not being tracked in LFR but can be found in the KPI spreadsheet.

<sup>\*\*</sup>Operates only on Weekdays until 7:00 pm

<sup>\*\*\*</sup>Operates only in Zone 1



## City of Norman Public Works Department





# **Performance Report**

## Microtransit Pilot Program Performance Report

#### December 2024

#### **Purpose**

This report provides a summary of service performance measures used to evaluate the performance of the Norman On-Demand microtransit transportation system for the City of Norman. The key performance indicator goals were outlined in the request for proposals (RFP) and include average walking distance, maximum walking distance, average rider wait time, maximum rider wait time, and the percentage of ride requests picked up within 20 minutes.

#### Service Profile, Hours, and Pricing

Norman On-Demand is a pilot microtransit service which launched for late night and Sunday service in core Norman on August 21, 2023. Norman On-Demand is a turnkey service provided by TransitTech provider Via. The Norman On-

Demand app is available on the Apple App Store and the Google Play Store. This service provides access to safe and affordable public transportation through technology, particularly during evening hours and on Sundays when other public transit options are limited. Through a collaboration with the University of Oklahoma, the Norman On-Demand Program also operates the University's SafeRide

Service Hours		Pricing		
Monday-Wednesday	7pm – 1am	First Passenger	\$2.00	
Thursday-Saturday 7pm – 3am*		Each Additional Passenger	\$1.00	
OU SafeRide: Thursday-Saturday	10pm – 3am*	OU SafeRide (OU Students using OU email	Free	
Sunday 10am – 6		address during SafeRide hours)		

ADA/Wheelchair Accessible Vehicles available upon request.
\*Outside of the OU fall and spring semesters, Thursday-Saturday service ends at 1am

Program, which is designed to provide safe and free late night transportation to OU students. Because this is a pilot program, there may be changes to service area, hours of operations, or other aspects of the service while the City focuses the program to efficiently serve the needs and desires of our community.

#### **Key Performance Indicator Measures**

Measure	Target	Fiscal Year to	scal Year to December		
	(7/01/24 – 12/31/2		2024	2023	Year Service
Average Walking Distance	<0.10 miles	0.06 miles	0.06 miles	0.06 miles	0% (no change)
Maximum Walking Distance	0.25 miles	0.35 miles	0.25 miles	0.22 miles	+12.00%
Average Rider Wait Time*	<15 min	21.8 min	25.3 min	23.7 min	+6.32%
Maximum Rider Wait Time*	20 min	79.9 min*	51.1 min*	63.0 min*	-23.29%
Percent of Ride Requests Picked Up in 20min	>80%	47.78%**	39.88%**	51.27%**	-22.22%

<sup>\*</sup>OU has requested longer available wait times for OU students during SafeRide hours (up to a 2 hour max). This affects the original goal of 20 minutes that was identified in the original Request for Proposals.

<sup>\*\*</sup>Number of ride requests with 'Completed' status that have a wait time of 20 minutes or less as a percentage of the total number of ride requests with 'Completed' status. This data is skewed by longer available wait times for OU students during SafeRide hours.

#### **Additional Performance Measures**

#### Ridership

Norman On-Demand completed 3,372 rides in December 2024, which is a 13.98% decrease from the November 2024 total of 3,920. There were a total of 27 completed trips which requested a wheelchair accessible vehicle (WAV) in the month of December. Ridership

Ridership	Fiscal Year to Date	Dece	mber	Year Over Year	
	(7/01/24 – 12/31/24)	2024	2023	Service	
Total Number of Riders	23,875	3,372	2,605	+22.75%	
Total Number of Trips	15,688	2,244	1,650	+26.47%	
# of Completed Trips Requesting WAV	165	27	25	+7.41%	
Ridership Per Service Hour (RPSH)	6.0	6.2	N/A	N/A	

per service hour (RPSH) is a ratio of the number of riders making use of the service in relation to how much service is being provided (i.e. one vehicle providing one hour of service would be one 'service hour').

#### **Rider Experience**

Approximately 13.1% of all completed rides during FYE25 received a rating, of which 96.8% were rated five out of five stars. The

Rider Experience	Fiscal Year to Date	December		Year Over Year	
	(7/01/24 – 12/31/24)	2024	2023	Service	
Average Ride Duration (in minutes)	11.4 minutes	11.0	9.6	+12.73%	
Average Ride Distance (in miles)	3.4 miles	3.4	3.0	+11.76%	
Average Ride Rating (5 stars scale)	4.9 stars	4.9	4.9	0% (no change)	

system includes an automated feed-back process where all ride ratings with four stars or fewer that have actual written feedback attached are reviewed by customer support agents. Poor ride ratings alone are not categorized as complaints. Due to changes in that review process, we expect to see a higher number of complaints in the next few months. Four complaints were reported to Via in the month of December, representing 1.2 complaints per 1000 rides provided. All four complaints were regarding driver conduct, specifically regarding detours and pickup issues. Two of the complaints where the passenger was not (or the wrong passenger was) picked up were also classified as incidents.

#### **Program Engagement and Rider Growth**

Since the Norman On-Demand App launched on August 16, 2023, a total of 9,558 individual accounts have been created, which is a 4.08% increase over the November 2024 service to date total of 9,168. Of these accounts just more than half of them (51.22%) have utilized the service at least once. Just more than a quarter of active accounts (2,696 accounts or 28.20%) have completed more than five rides. Riders are also able to call 405-643-8638 to schedule rides without using the App.

Engagement – Service to Date (8/16/23 – 12/31/24)						
App Accounts Created Since Launch	9,558					
OU Accounts	N/A	N/A				
Active Accounts*	6,597	69.02%				
Rider Accounts**	4,896	51.22%				
Repeat Rider Accounts***	3,957	41.39%				

<sup>\*</sup>accounts with user engaging with ride requests at least once
\*\*accounts with at least 1 completed ride

#### **Accidents and Vehicles**

No accidents and three incidents were reported in the month of December. Two of the reported incidents were related to reports of drivers picking up the wrong passengers and the third incident was related to rider conduct.

All seven vehicles were in active service during the month of December, which meets the target fleet availability.

<sup>\*\*\*</sup>accounts with at least 2 completed rides

# SERVICE EFFORTS AND ACCOMPLISHMENTS FYE 2025

	STR	REET DIVISI	ON		
	FYE 2025 January 2025	FYE 2025 January 2025	Year to Date	Year to Date	FYE 2025
PERFORMANCE INDICATORS	ACTUAL	PERCENT	ACTUAL	PERCENT	PROJECTED
Distribute work order requests to field personnel within one day.	99%	99%	99%	100%	100%
Patch potholes smaller than one cubic foot within 24 hours	100%	100%	100%	100%	95%
(tons of material used)	_		179.13		
Overlay/pave 10 miles per year.	**	0%	1.30	13%	100%
Replace 2,000 square yards of concrete pavement panels	92.00	5%	2,716.33	136%	100%
Grade all unpaved alleys two (2) times per year. (approximately 210 blocks)	-	0%	22.00	5%	100%
Mow 15 ROW-miles (1,584,000 sf) of Urban right-of-way, eight times per year	-	0%	15,191,250.00	120%	100%
Mow 148 miles of Rural Right-of- way three times per year	-	0%	1,488.00	335%	100%
Debris Removal – pre-positioned contractor on notice 24 hours prior to storm event	-	0%	-	0%	100%
Debris Removal - Issue Notice to Proceed/Task Order with 48 hours of storm event	-	0%	-	0%	100%
Bridge - Maintain 5 non-deficient bridges in a year	5	180%	9	180%	100%
Bridge - Rehab 7 structurally deficient bridges per year through outside contract	-	0%	1	0%	100%
Bridge - Replace one functionally obsolete bridge per year	-	50%	1	0%	100%
Bond Program - Contract all selected projects for the bond year within the same fiscal year				65%	100%
Capital Program – Complete all selected projects within the same fiscal year			-	40%	100%

#### SERVICE EFFORTS AND ACCOMPLISHMENTS FYE 2025

STORMWATER DIVISION					
	FYE 2025 JANUARY, 2025	FYE 2025 JANUARY, 2025	Year to Date	Year to Date  Year to Date	
PERFORMANCE INDICATORS	ACTUAL	PERCENT	ACTUAL	PER CENT	PROJECTED
Respond to stormwater complaints and drainage concerns within 24 hours of the time reported.	99%	99%	99%	99%	99%
Mechanically sweep 500 curb miles per month (6,000 Annually)	312.00	62%	2,702.00	45%	85%
Inspect and clean 100% of the urban drainage inlets three times per year.	1,364.00	14%	4,605.00	46%	65%
Mow 2,271,548 square-feet (52 acres) of open drainage ways, six times per year.	19,866.00	0%	5,678,504.50	42%	70%
Permit all floodplain activities as appropriate.	2.00	100%	17.00	100%	95%
Camera stormwater infrastructure to inspect and identify. (4 map grids per month)	0.25	1%	4.25	9%	85%
*Camera map grids identified in FY24 and program transitioning to proactive inspection.					

#### PUBLIC WORKS FLEET DIVISION ACTIVITY REPORT

January 2025

IN GALLON	NS FYE 2025	FUEL REPORT		
	UNLEADED PURCHASED	DIESEL PURCHASED	CNG P	URCHASED
Internal pumps	20,738.00	22,093.00	28	3,354.40
Outside - sublet	782.00	503.00	1	,240.40
TOTAL	21,520.00	22,596.00	29	9,594.80
TOTAL	UNLEADED CONSUMED	DIESEL CONSUMED	CITY CNG CONSUMEI PU	BLIC CNG CONSUMED
Consumption	22,335.00	21,648.40	28,354.40	1,240.40

FYE 2025 TO DATE CONSUMPTION							
TOTAL	UNLEADED CONSUMED	DIESEL CONSUMED	CITY CNG CONSUMEI	PUBLIC CNG CONSUMED			
Consumption	148,464.13	163,262.24	233,396.96	7,342.79			

INTERNAL PRICE	E PER GALLON	:	and the same	EXTERNAL P	RICE PER	GALLON:		
UNLEADED	High	\$2.17	Low	\$2.05 UNLEADED	High	\$2.23	Low	\$2.14
DIESEL	High	\$2.50	Low	\$2.25 DIESEL	High	\$2.49	Low	\$2.24
CNG	High	\$0.17	Low	\$0.17 CNG	High	\$2.10	Low	\$2.10

CONSUMABLE PARTS PURCH	ASED	PUBLIC CNG SALES			
		Month Total Public CNG Sales	\$2,476		
REPAIR PARTS	\$123,399.60	FYE 2024 To Date Public Sales	\$13,988		
OILS/FLUIDS	\$8,249.68	LIFE TO DATE CNG GAS GALLON EQUIVALENT			
TIRES	\$38,715.52	Total Sold Gallons Life To Date	1,130,935		
SUBLET REPAIRS	\$13,518.91	Total Gross Sales Life To Date	\$1,696,833		
		Life To Date CNG Gas Gallon Equival	lent		
TOTAL SPENT ALL Parts/Sublet	\$183,883.71	Total Public/City Through-Put CNG Gallo	ns @ Station: 3,813,480		

Light Shop	CURRENT MONTH	LAST MONTH	Two Months Ago	YEAR TO DATE
ROAD SERVICE	0	0	0	9
EMERGENCY ROAD CALLS	16	7	9	115
PM SERVICES	84	109	30	660
INCLEMENT WEATHER	0	0	0	0
WORK ORDERS	212	174	213	1,772
SCHEDULED REPAIRS	99	100	92	934
NON SCHEDULED REPAIRS	87	43	121	721

Heavy Shop	CURRENT MONTH	LAST MONTH	Two Months Ago	YEAR TO DATE
ROAD SERVICE	11	0	0	34
EMERGENCY ROAD CALLS	4	15	15	19
PM SERVICES	40	50	55	355
INCLEMENT WEATHER	0	0	0	0
WORK ORDERS	151	132	175	1,301
SCHEDULED REPAIRS	31	133	137	600
NON SCHEDULED REPAIRS	94	6	38	648

Transit Shop	CURRENT MONTH	LAST MONTH	Two Months Ago	YEAR TO DATE
ROAD SERVICE	0	0	0	0
EMERGENCY ROAD CALLS	0	0	0	1
PM SERVICES	4	15	11	89
INCLEMENT WEATHER	0	0	0	0
WORK ORDERS	41	61	46	374
SCHEDULED REPAIRS	39	70	43	384
NON SCHEDULED REPAIRS	1	8	3	22

EVT Shop	CURRENT MONTH	LAST MONTH	Two Months Ago	YEAR TO DATE
ROAD SERVICE	0	0	0	0
EMERGENCY ROAD CALLS	1	0	1	3
PM SERVICES	12	6	6	83
INCLEMENT WEATHER	0	0	0	0
WORK ORDERS	26	27	31	276
SCHEDULED REPAIRS	11	55	21	255
NON SCHEDULED REPAIRS	15	0	10	77

COMBINED SHOPS	CURRENT MONTH	LAST MONTH	TWO MONTHS AGO	YEAR TO DATE
ROAD SERVICE	11	0	0	43
EMERGENCY ROAD CALLS	21	22	25	273
PM SERVICES	140	180	102	1,016
INCLEMENT WEATHER	0	0	0	0
WORK ORDERS	430	394	465	4,188
SCHEDULED REPAIRS	180	358	293	2,466
NON SCHEDULED REPAIRS	197	57	172	1,640

# FLEET DIVISION INVENTORY January 2025

# **FUEL**

WESTWOOD GOLF WESTWOOD GOLF	789.6 640.3	_	UNLEADED DIESEL	@ @	2.520 2.640	\$ \$	1,989.79 1,690.39
NORTH BASE NORTH BASE	4,166.0 4,289.0	_	UNLEADED DIESEL	@ @	2.210 2.450	\$	9,206.86 10,508.05
FIRE STATION #5 FIRE STATION #5		_	UNLEADED DIESEL	@ @	2.030 2.210	\$	826.21 787.20
FIRE STATION #6 FIRE STATION #6	373.0 365.2	0	UNLEADED DIESEL	@ @	2.190 2.370	\$ \$	816.87 865.52
BULK TANKS	1,200.0	gallons	DIESEL	@	2.170	\$	2,604.00

TOTAL	GALLONS:	DOLLAR:			
UNLEADED	5,735.6	\$	12,839.73		
DIESEL	6,850.7	\$	16,455.17		

# PUBLIC WORKS FLEET DIVISION PM COMPLIANCE REPORT

JANUARY FYE 2025 Industry Standard Compliance: Not To Exceed 5

		JANUARY FYE 2025			Industry Standard Compliance: Not To Exceed 5%			
CHYCLENS  CHYCLORIS		Number of PMs	Number of PMs Completed		Number of PMs	Current %	YearToDate Non-	
CHITCOUNCE   1		Scheduled	On Time	Completed LATE	Missed	PENDING	Compliance Trend	
MINISTRAY LOUNS						00/	004	
MINISTER LOCKET  MINISTER MINI					The Real Property lies	The state of the s		
MINISTRATION TRICHOLOGY  MICHAEL MERCHANDER  MICHAEL MERCHAEL  MIC	Delibrio (Ibrilli)					0.0	070	
INFORMATION TICINOLOCY  INFORM	MUNICIPAL COURT							
SENDRALATION TECHNOLOGY  IREASN REDORCES    P.   P.   P.   P.   P.	MUNICIPAL COURT					0%	0%	
SENDRALATION TECHNOLOGY  IREASN REDORCES    P.   P.   P.   P.   P.	INFORMATION TECHNOLOGY			W. M. S. Const. Conf.				
HUMAN RESOURCES		1	Held Market		1000	100%	100%	
MIANA PERMINENTAL								
PARTIES								
PLANSMOR	HUMAN RESOURCES							
RANDROM   3   2   1   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%   33%	PLANNING					076	0%	
TUBLIC WORKS  TU		3	2		1	33%	33%	
RELIEVEMENTS  SOUNDERENDO  2 2 2 0 0% 0% 224 STREETS  9 11 0 0% 224 STREETS  9 11 0 0% 225 STREETS  9 11 0 0% 025 STREETS  9 11 0 0% 0% 025 STREETS  9 11 0 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0							0%	
SMONDERBOR   2   2   0   0   0   0   0   0   0   0	CODE COMPLIANCE	1	1			0%	200%	
SMONDERBOR   2   2   0   0   0   0   0   0   0   0	BUDLIC WODES	user sues in the						
STREETS		2	2			0%	0%	
TRASPIC   2   2   0   0   0   0   0   0   0   0	a Control of the Assessment of the Control of the C							
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PART   18   8   7   9   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%   50%		2	2					
TRAINER  FOLICE  FOLICE  FOLICE  FOLICE AND ALTER AND AL		19	0	7	0			
NOBLEE  NATIMAL CONTROL  2		10	0	1				
ASMMAL CONTROL  ASMMAL CONTROL  BOLCEI ADMINISTRATION  BOLCEI AFF SERVICES  1 1 1 1 100% 50% 50% 50% 500 50% 500 50% 50% 50%							BORNES TO RECEIPE	
SOLICE STATE STREVES   1	CHESTAGE TO SERVICE AND ADDRESS OF THE PARTY						7	
DOLICE STATE SELVICES		2		1	2			
SOLICE PATROL	CONTRACTOR AND ADDRESS OF THE PARTY OF THE P	1		1				
NOLICE PRIATOL   17   23   3   4   24%   188%     NOLICE PRIATOL NOSTRICATIONS   3   1   339%     NOLICE PRIATOL NOSTRICATIONS   0 %   0 %     PRIATOL NOSTRICATIONS   0 %   0 %     PRIATOL NOSTRICATION   0 %   0 %     PRE TRANSING   0 %   0 %     PRE TRANSING   1   1   1   100%   10%     PRE PREVENTION   1   1   1   100%   10%     PRES PREVENTION   1   1   1   100%   10%     PRES PREVENTION   1   1   1   100%   10%     PRES PREVENTION   7   5   2   2   29%   8 %     PARKS & RECREATION   0 %   0 %			3	1				
PAIR				3	4			
HER EMER AUDINISTRATION		3	3		1			
FREE ADMINISTRATION   0%   0%   0%   0%   0%   0%   0%   0	POLICE EMERGENCY COMMUNICATIONS					0%	0%	
FIRE ADMINISTRATION	FIDE							
FIRE PER PER PER PER PER PER PER PER PER P						0%	0%	
THE SUPPRESSION   1					Marketining III	the state of the s		
PARKS & RECREATION	FIRE PREVENTION	2	1	1		0%	150%	
PARSS & RECREATION PARES MANTENANCE 7 5 2 2 0 29% 86% 80% 00% 00% CUSTODIAL		1		1	1			
PARK SA RECREATION	FIRE DISASTER PREPAREDNESS					0%	0%	
PARK SA RECREATION	PARKS & RECREATION			Marital Variable Street				
CUSTODIAL		7	5	2	2	29%	86%	
PACILITY MAINTENANCE   3   2   3   100%   233%								
PARKS FORESTRY   SALES TAX (PIST)   PUBLIC SAFETY SALES TAX (PIST)								
PRIBLIC SAFETY SALES TAX (PSST)		. 3	No. 1949 - 1974 - 1974	2	3			
PAST POLICE PATROL   8   4   6   3   38%   175%     PAST POLICE CRIMINAL INVESTIGATIONS   0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0%	PARKS FORESTRI					076	076	
PRST FIRE SUPPRESION   0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0%	PUBLIC SAFETY SALES TAX (PSST)							
PAST FIRE SUPPRESION   1   1   0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0%		8	4	6	3			
PRST SRO         1         1         0%         0%           CDBG         ***********************************								
CDBG						THE RESIDENCE OF THE PARTY OF T		
CDBG         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         <	rss1 sro	Land of the second						
UTILITIES MATER  UTILITIES ADMINISTRATION  WATER FREATMENT PLANT  WATER PLANT  WATER PLANT  WATER PLANT WELLS  WATER PLANT WELLS  WATER PLANT LAB  UNITED ADMINISTRATION  1 1 1 0 0% 0%  WATER PLANT LAB  UNITED ADMINISTRATION  WATER PLANT WELLS  WATER LINE MAINTENANCE 77 55 2 2 299% 71%  WHILITIES INSPECTOR 2 2 2 2 0% 0% 100%  WETER SERVICES  UTILITIES WEF  WATER ADMIN  WATER PLANT WELLS  WAT	CDBG			PERMIT				
UTILITIES ADMINISTRATION   0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0%	PLANNING CDBG					0%	0%	
UTILITIES ADMINISTRATION   0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0%								
WATER TREATMENT PLANT         0%         0%           WATER PLANT         0%         0%           WATER PLANT WELLS         0%         0%           WATER PLANT LAB         0%         0%           LINE MAINTENANCE ADMIN.         1         1         0%         0%           WATER LINE MAINTENANCE         7         5         2         2         29%         71%           WATER SINSPECTOR         2         2         2         0%         0%           WELLITITIES WEF         0%         0%         0%           WER ADMIN         0%         0%         0%           WER FINDUSTRIAL         0%         0%         0%           WER BIOSOLIDS         0%         0%         0%           WER FOREATHONS         0%         0%         0%           SEWER LINE MAINTENANCE         5         5         0%         0%           UTILITIES SANITATION           UTILITIES SANITATION ADMINISTRATION         0%         0%           UTILITIES SANITATION ADMINISTRATION         0%         0%           SANITATION COMMERCIAL         3         3         1         1         33%         200%						00/	00/	
WATER PLANT         0%         0%           WATER PLANT WELLS         0%         0%           WATER PLANT LAB         0%         0%           LINE MAINTENANCE ADMIN.         1         1         0%         0%           WATER LINE MAINTENANCE         7         5         2         2         29%         71%           UTILITIES INSPECTOR         2         2         2         2         0%         00%           WETH SERVICES         0%         0%         0%         0%         0%           UTILITIES WEF         0%         0%         0%         0%         0%           WEF ADMIN         0%         0%         0%         0%         0%         0%           WEF BIOSOLIDS         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%				and the second second	MINE SHOUSE CHIEF			
WATER PLANT WELLS         0%         0%           WATER PLANT LAB         0%         0%           UNIDER MAINTENANCE ADMIN.         1         1         0%         0%           WATER LINE MAINTENANCE         7         5         2         2         29%         71%           UTILITIES INSPECTOR         2         2         2         2         0%         100%           METER SERVICES         0%         0%         0%         0%           UTILITIES WRF           WRF ADMIN         0%         0%         0%           WRF BIOUSTRIAL         0%         0%         0%           WRF DOERATIONS         0%         0%         0%           WRF OFFRATIONS         0%         0%         0%           SEWER LINE MAINTENANCE         5         5         0%         0%         0%           UTILITIES SANITATION         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%         0%							AND DESCRIPTION OF THE PARTY OF	
LINE MAINTENANCE ADMIN.   1								
WATER LINE MAINTENANCE         7         5         2         2         29%         71%           UTILITIES INSPECTOR         2         2         2         0%         100%           METER SERVICES         0%         0%         0%           UTILITIES WEF           WER FADMIN         0%         0%         0%           WER FINDUSTRIAL         0%         0%         0%           WER FOREATIONS         0%         0%         0%           SEWER LINE MAINTENANCE         5         5         0%         0%           UTILITIES SANITATION         0%         0%         20%           UTILITIES SANITATION ADMINISTRATION         0%         0%         20%           UTILITIES SANITATION COMMERCIAL         16         16         0%         0%         6%           SANITATION COMMERCIAL         3         3         1         1         33%         200%           SANITATION COMPOST         0%         0%         0%         0%           SANITATION COMPOST         0%         0%         0%           SANITATION VARD WASTE         1         2         0%         0%           SANITATION COMMERCIAL								
UTILITIES INSPECTOR         2         2         2         2         0%         100%           METER SERVICES         0%         0%         0%           UTILITIES WRF           WRF ADMIN         0%         0%         0%           WRF INDUSTRIAL         0%         0%         0%           WRF BIOSOLIDS         0%         0%         0%           WRF OPERATIONS         0%         0%         0%           SEWER LINE MAINTENANCE         5         5         0%         0%           UTILITIES SANITATION         0%         0%         0%           SANITATION DEMINISTRATION         0%         0%         0%           SANITATION TRANSFER         6         7         0%         0%           SANITATION TRANSFER         6         7         0%         0%           SANITATION PROVIDED         3 <td>A THE RESIDENCE AND A SECRETARIAN PROPERTY AND ADDRESS OF THE PARTY AND</td> <td></td> <td></td> <td></td> <td></td> <td>The second secon</td> <td></td>	A THE RESIDENCE AND A SECRETARIAN PROPERTY AND ADDRESS OF THE PARTY AND					The second secon		
METER SERVICES         0%         0%           UTILITIES WRF           WRF ADMIN         0%         0%           WRF INDUSTRIAL         0%         0%           WRF DOER ATIONS         0%         0%           SEWER LINE MAINTENANCE         5         5         0%         20%           UTILITIES SANITATION         0%         20%           UTILITIES SANITATION SANITATION RESIDENTIAL         16         16         0%         0%           SANITATION RESIDENTIAL         16         1         33         1         1         33%         200%           SANITATION TEANSFER         6         7         0%         0%         0%           SANITATION RECYCLE         3         3         3         0%         0%           SANITATION YARD WASTE         1         2         0%         0%           UTILITIES EVIROMENTAL         0%         0%         0%           ENVIROMENTAL & SUSTAINABILITY         0%         0%					2			
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SANITATION RESIDENTIAL   16   16   16   0%   6%							Total Control of the	
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ENVIROMENTAL & SUSTAINABILITY 0% 0%								
CITYWIDE TOTAL 132 111 31 32 24% 33%		132	111	21	22			

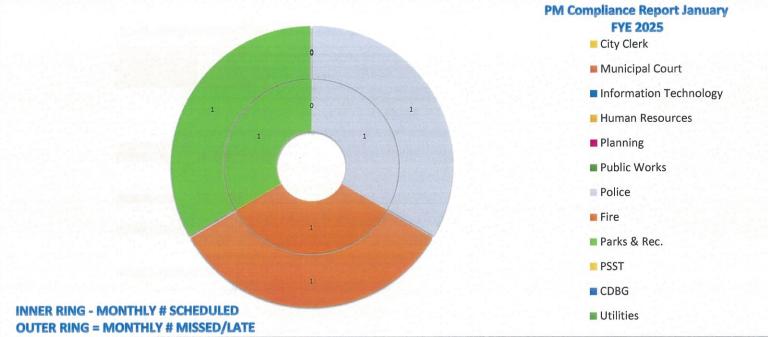
#### Item 5.

# PUBLIC WORKS FLEET DIVISION PM COMPLIANCE REPORT

JANUARY FYE 2025

Currently Past Due:

Unit#	Unit Description	Department Division	Current Odometer Reading	Meter or scheduled date	Meter Past		ORIGINAL Scheduled DATE	SHOP	Type of SERVICE	LAST PM DONE
Police				. Pation				100		25,000
986T	2000 Dons Equipment Trailer	Animal Control	2/1/2025	11/19/2024	-74	Days	11/19/2024	Light Repair	PM-A	5/11/2023
1113	2014 Ford Interceptor	PD Patrol	74263	74746	483	Miles	12/2/2024	Light Repair	PM-C	9/17/2024
1072	2005 Nissan Quest	PD Special Investigations	2/1/2025	12/6/2024	-57	Days	12/10/2024	Light Repair	PM-C	12/6/2023
987T	1998 W&W 6X16 Stock Trailer	Animal Control	2/1/2025	1/13/2025	-19	Days	1/13/2025	Light Repair	PM-A	1/25/2024
1105	2015 Ford Interceptor	PD Patrol	68553	68260	-293	Miles	1/9/2025	Light Repair	PM-C	10/7/2024
1160	2013 Ford Interceptor	PD Patrol	108541	106512	-2029	Miles	1/27/2025	Light Repair	PM-C	12/5/2024
Public V	Vorks			17. 17. 19						
892T	2012 MAXEY TD 10.4K TRAILER	Stormwater Maintenance	2/1/2025	1/31/2025	-1	Hours	1/31/2025	Light Repair	PM-A	2/19/2024
2376	2023 Skyjack Scissor Lift	Fleet Heavy Shop	2/1/2025	1/1/2025	-31	Days	1/31/2025	Heavy Repair	PM-B	10/1/2024
2376	2023 Skyjack Scissor Lift	Fleet Heavy Shop	2/1/2025	1/1/2025	-31	Days	1/31/2025	Heavy Repair	PM-E	10/1/2024
Utilities			Part of the		1 100	1				ALL DESCRIPTION OF THE PARTY OF
0239	2016 Peterbilt 320	Sanitation Commercial	12/1/2024	11/21/2024	-10	Days	11/21/2024	Heavy Repair	PM-N	8/2/2023
Informa	tion Technology		A C				A 17 159			a freta e
0067	2015 Ford Explorer	Information Technology	2/1/2025	1/22/2025	-10	Days	1/22/2025	Light Repair	PM-B	5/31/2022
Planning	9			the third		1 - 1	377.50			7300 270
0500	2014 Ford Escape	Planning Admin	2/1/2025	1/22/2025	-10	Days	1/22/2025	Light Repair	PM-B	5/31/2022



Department	Scheduled	Missed/Late	% Late	
City Clerk	0	0	0.0%	
Municipal Court	0	0	0.0%	
Information Technology	0	0	0.0%	
Human Resources	0	0	0.0%	
Planning	0	0	0.0%	
Public Works	0	0	0.0%	
Police	1	1	100.0%	
Fire	1	1	100.0%	
Parks & Rec.	1	1	100.0%	
PSST	0	0	0.0%	
CDBG	0	0	0.0%	
Utilities	0	0	0.0%	
Citywide Total	3	3	100.0%	

PUBLIC WORKS FLEET DIVISION Technician Productivity Report

FYE 2025

January 2025

0.00 37.59 21.46 25.97 58.78 11.18 29.86 0.00 17.02 22.06 22.06 33.66 33.66 29.77 24.41 36.75 Available indirect 0.00 150.66 150.27 101.02 131.45 158.49 159.11 132.43 195.71 157.65 169.30 162.07 179.37 196.07 138.50 177.53 165.95 167.11 126.84 106.46 136.93 146.47 139.44 0.00 133.64 128.21 98.18 97.79 150.80 149.60 159.32 117.15 137.65 159.11 Schumacher Sprayberry West 177.53 LaChance 132.43 Johnson 195.71 Vann 157.65 Durham 169.30 Winters 158.49 Lowman 165.95 Nolasco Gunter 0.00 Deaver 179.37 Dillon 196.07 Cole 0.00 Massie DIFFERENCE TOTAL HOURSNAME 150.27 Wilson 138.50 Wood 162.07 Winn 161.66 150.66 101.02 8.0% 8.4% 8.4% -2.0% 20.9% 10.4% 16.7% 13.3%
25.2%
25.2%
21.4%
21.0%
11.4%
9.3%
12.6%
12.3%
13.3% PRODUCTIVITY INDIVIDUAL PRODUCTIVITY #D/V/0! #DIV/0! 86.5% 80.4% 70.0% 92.9% 82.4% 80.0% 76.7% 88.7% 85.3% 97.2% 74.4% 93.0% 83.4% 81.3% 84.6% 84.3% 77.8% #D/N/0; #D/V/0! ACTUAL GOAL 137.65 106.46 136.93 98.18 97.79 150.80 146.47 139.44 0.00 133.64 117.15 149.59 141.54 DIRECT LABOR HOURS 128.21 149.60 159.32 642 1554 1676 2098 2495 2745 3001 3134 3151 3167 3487 3502 3572 3843 4303 4310 4316 4033 MECHANIC

2373.73	2521.29	72.0%
DIRECT LABOR HOURS	TOTAL AVAILABLE HOURS	PRODUCTIVITY GOAL ACTUAL PRODUCTIVITY

# DEPARTMENT OF PUBLIC WORKS-TRAFFIC CONTROL DIVISION MONTHLY PROGRESS REPORT

Percentage Requests   Number of Requests   Requests   Requests   Requests   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   118   11		et Met Met 100% 100% 100% 100% 100% 100% 100% 100	Number of Requests 782 782 22 182	Goal Met 782 782 19 19 182 Worker Hours	Percentage Met 100% 100% 100% 100%
100%   118   118   118     95%   1   1   1   1     99%   1   18   18     0.80   Gallons   Hours     4-6 Installations   per day per 2   Crew Work   Total     100%   0   0     1   100%     Performed   Goal Met     1   199%   Number of   Goal Met     1   14   14   14     1   199%   Reports				782 782 19 182 Worker Hours	100% 100% 100% Percentage
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99%   1   1				19 182 Worker Hours	100% 100% Percentage
0.80   Gallons   Hours				182 Worker Hours	100%
O.80   Gallons   Worker			1147	Worker Hours	Percentage
4-6 Installations   0			852		T CI CLILLIABO
4-6 Installations   per day per 2   Crew Work   Total	12.		NAME OF TAXABLE PARTY.	477.5	0.56
100% Number Goal Met 14 14 10 99% Reports Goal Met		ons Average	Crew Work Days	Total Installations	Average
. 100% Number Goal Met  14 14  In 99% Number of Goal Met  Reports	0 0	0.00	16.56	91	5.50
to reports on traffic signal malfunctions within 99% Number of Goal Met	7 7 7	et Percentage	Number Performed	Goal Met	Percentage Met
to reports on traffic signal malfunctions within 99% Reports	14 14	100%	103	103	100%
		Pe	Number of Reports	Goal Met	Percentage Met
Response to reports of sign damage:					
within one hour		100%	119	119	100%
Lower Priority all other signs within one day 90% 78 78		100%	416	416	100%
		100%	133	133	100%
<.01% Total Work Work		Percentage	Total Work	Work Hours	Percentage
3360 0		L	21929	0	0.00

**UTILITIES** 

13

# Monthly Report January 2025

#### **LINE MAINTENANCE:**

#### Waterline Capital Projects

- Beaumont Drive 100%
- 1357 12th NE Avenue 100%
- Crest Court 100%
- Barb Court 100%
- Page Street 100%
- Crail Drive 0% Hold Pending Lead Survey

Staff has completed the Crest Court project. Staff has completed the 12th AVE NE project. Staff has completed the Beaumont project. Staff has completed the Page Street project. Crail Project materials have been ordered – project on hold pending lead surveys. Ashton Grove project has been completed. Sutton Place project has been completed. Park Hill lift station pumps have been installed.

Water Line Breaks Total – 21 in January Water Lines Hit by Contractors – 0

#### Sewer Line Data

- Total obstruction service requests 31
- Private Plumbing: 29
- City Infrastructure: 2
- Sanitary Sewer Overflows: 1 on private side, 0 on city side

#### Lift Station D Flows:

- Days 31
- Average daily flow: 1.225 MGDTotal Monthly flow: 37.97 MG

#### **UTILITIES ENGINEERING:**

AlM Water and Wastewater Master Planning Effort: In combination with the overall comprehensive land use plan, Water and Wastewater master planning efforts are being done to evaluate the current infrastructure, provide input on future development locations, and determine infrastructure needed to support the selected land use alternative(s). RDG, with Garver performing the engineering for water and wastewater efforts, was selected as the consultant for the project. Contract K-2324-46 was awarded to RDG (with Garver as a subconsultant) in July 2023. The W/WW Subcommittee approved the overall plan concepts during the final meeting January 28, 2025. RDG/Garver is finalizing the plans with future acceptance in May 2025 along with other plans.

Tangentially, staff worked with Garver and RJN to complete the wastewater collection system flow monitoring necessary for proper calibration of the wastewater model being developed and updated by Garver.

#### **WASTEWATER PROJECTS:**

WRF Reuse Pilot Study (WW0317) — Project is a pilot study designed to consider treatment alternatives to produce highly treated effluent at the WRF suitable for Indirect Potable Reuse (IPR) by discharging it into Lake Thunderbird to supplement Norman's available raw water supply. NUA approved a contract with Garver LLC on February 11, 2020 to design the pilot project for various alternative treatment processes to determine if reuse is feasible and, if so, to recommend the best and most economic treatment technologies for the implementation of a reuse program. In July 2020, NUA approved Amendment No. 1 to Garver's contract which consolidated all pilot study tasks, including procurement/rental of treatment equipment for alternative treatment trains, temporary construction/installation of pilot

study equipment and eventual removal of all pilot study equipment, into Garver's contract. During the remainder defined the study equipment and eventual removal of all pilot study equipment, into Garver's contract. During the remainder defined the study equipment and eventual removal of all pilot study equipment, into Garver's contract. 2020, Garver completed pilot study design, and during winter 2020/2021 and spring 2021, temporary construction of Phase I treatment trains, which consisted of one train using an Aqua Nereda patented process and one train using a modified University of Cape Town (mUCT) process was completed. By June 2021, both trains had been commissioned and were operating as intended. As a result, WRF and Garver staff were able to commence the Phase I testing and sampling regimens. In November 2021 and February 2022, skids and trailers containing advanced tertiary processes that were to be pilot tested as part of Phase II and Phase III, respectively, were delivered; temporary construction needed to place them into service was completed; and Phase II and Phase III testing and sampling regimens commenced. Phases I. II. and III and all associated testing and sampling were completed as of June 1, 2022, and Garver's construction subcontractor completed removal of all temporary process equipment by late summer 2022. A first draft copy of the engineering report was submitted for review in December 2022. A second draft was submitted to NUA and, informally, to Oklahoma Department of Environmental Quality (ODEQ) in March 2023. For the rest of 2023, Garver convened regular meetings with ODEQ to review the draft report findings and conclusions in detail, and on March 18, 2024, ODEQ issued a letter of "support" for the results of the pilot study. Upon receiving ODEQ's letter and as per their Contract, Garver submitted their draft final report to an "Independent Advisory Panel" consisting of independent industry experts who will review results and recommendations, deliberate amonth themselves, and, finally, issue recommendations regarding the report and its conclusions. A technical orientation with the panel members, NUA, and Garver convened on August 28, 2024. This was followed by a half-day workshop on December 17, 2024 during which Garver described the finer details of the pilot test, the data obtained, and their conclusions, and ended with an extended question and answer session. At this time, the panel members are deliberating and will issue their independent conclusions and recommendations during the first quarter of 2025. Once any recommendations submitted by the panel are addressed by Garver, a final report will be submitted, likely in the spring of 2025.

In December 2019, NUA learned that Bureau of Reclamation (BOR) had approved a grant of up to \$700,000 that would pay up to 25% of all costs incurred on this project. Grant contract was approved by NUA and BOR and fully executed in September 2021. As of March 2023, all funds authorized by this Grant have been received by City of Norman.

In October 2021, NUA learned that it has been awarded a second grant from BOR, a green infrastructure grant to evaluate what role a constructed wetland could play in further improving quality of stormwater and/or effluent water entering Lake Thunderbird as part of the future reuse program that is the subject of the pilot study. This grant includes \$209,824 worth of in-kind funds from various federal agency resources to be expended in (Federal) Fiscal Years 2022 through 2024 for research and investigations, and grant can be extended with additional funds added in future years as conclusions are reached and recommendations made based on the work done during the initial years' funding. The project was officially kicked off in early November 2021, and work (research and data gathering) is ongoing. A workshop to review alternatives and select the best convened in August 2024. If funding beyond fiscal year 2024 (which ends on September 30, 2024) is authorized, design and construction of a pilot constructed wetland may occur starting in Fiscal Years 2025 and 2026. As of January 2025, no additional funding has been authorized but in-kind funding in the original grant has not yet been exhausted so research efforts are continuing and the team continues to meet on a semi-regular basis to discuss findings and possible future tasks if additional funding becomes available.

In April 2022, NUA learned that a third grant from BOR associated with possible IPR had been authorized. The third grant was an applied science grant for \$148,339 to create a Predictive Lake Optimization Tool (PLOT) for Lake Thunderbird. The PLOT will use weather and climatological data and forecasts and data specific to Lake Thunderbird and its watershed to create a preliminary model that will furnish predictions on the theoretical best times, quantities, and manner for adding supplemental IPR flows to the lake. This would allow both for the best possible economic evaluation of infrastructure alternatives for a future IPR program but also for the efficient management of such a future IPR program if/when one is implemented. A resolution authorizing acceptance of the grant was approved by City Council in September 2022, and a Contract with Garver in the amount of \$196,190 (of which \$148,339.00 would be reimbursable from BOR Applied Science Grant) was approved by City Council on March 14, 2023. During the remainder of 2023 and continuing into the Spring of 2024, Garver and their subconsultants completed research and created the PLOT, and, on June 11, 2024, they convened a workshop presenting the preliminary conclusions. Based on the workshop, Norman requested that additional information and analysis be provided to clarify some minor questions before a final report is issued. An additional workshop is being scheduled for August 2024 to share preliminary results with Bureau of Reclamation (BOR) and Central Oklahoma Master Conservancy District (COMCD) staff convened on August 15, 2024. Garver should address all questions raised in workshops and furnish a final report early in 2025.

Engineer: Garver LLC (Michael "Cole" Niblett)

WRF Dewatering Centrifuge Replacement (WW0326) — Project will replace dewatering centrifuges at WRF. Existing centrifuges are approaching the end of their useful lives, and, consequently, they need excessive maintenance, regular major repairs and increasing polymer feed rates to achieve necessary sludge quality. Moreover, poor service provided by manufacturer often results in extended downtime before necessary repairs are completed. NUA approved a Contract with Garver, LLC on December 8, 2020 to prepare a design to replace centrifuges, and design for this project commenced immediately thereafter. Throughout 2021, manufacturers of several different dewatering technologies ran demonstration tests that were observed by Garver, WRF and NUA Engineering staff, and WRF and NUA Engineering staff also made several site visits to wastewater treatment plants in the region to observe equipment by other manufacturers/technologies in operation. Based on these demonstrations and site visits, Garver issued a Final Version of the Preliminary Engineering Report in November 2021 recommending hydraulic drive centrifuges as the technology for this project. During winter and spring 2022, Garver and NUA met with representatives from most of the reputable centrifuge manufacturers in the industry to learn more about their equipment and, just as importantly, to learn about their manufacturing and service infrastructure. Based on these meetings, three (3) manufacturers were approved for inclusion in the bidding documents.

Garver completed and submitted 60% design documents for review in August 2022 and 90% design documents in January 2023 with design review meetings convening two weeks after each submission. In March 2023, ODEQ Permit to Construct application was submitted to ODEQ and the permit was issued in April 2023. Also, in April 2023, NUA learned that it has been approved for a federal community funding grant for FYE September 30, 2024 in the amount of \$5,000,000.00 for this project. However, because the Federal Budget for FY 2024 is not yet approved, funds for the grant have not been earmarked and EPA has not allocated them, and there is no certainty on when or if these funds will be approved. Because of the critical nature of this project and based on conversations with EPA and with grant experts at Garver, it has been determined that the best course of action for Norman Utilities Authority is to bid the project now and include all requirements for EPA Community Grant projects in the bidding documents. EPA has advised that, as long as the contract meets their requirements for the grant, we can apply for the funds at whatever time in the future they are officially allocated. EPA should then be able to approve "after the fact" and Norman Utilities can seek reimbursement for funds already spent at that point.

Based on further discussions, an additional concern arose based on the fact that until funding is approved by Congress, exact details is grant requirements will remain uncertain. Garver advised and EPA Community Grant staff affirmed that, for grants issued up to and including Fiscal Year 2024, if project is receiving funding via another Federal Program and project meets requirements of that program, EPA Community Grants will approve project on that basis. As a result, NUA has applied for and received a Clean Water State Revolving Fund (CWSRF) loan from Oklahoma Water Resources Board (OWRB). The loan request was worded to also cover other planned projects at the WRF so, assuming EPA Community Grant is eventually made, the CWSRF loan funds will be directed to those other projects as well. OWRB has advised that, as with the EPA Community Grant, the project could start before the loan was granted. Then, once approved, NUA could immediately start seeking reimbursement for all work completed on the project prior to loan approval. It should also be noted that the use of CWSRF loans for upcoming capital projects at the WRF was recommended by the Raftelis report for upcoming wastewater capital spending.

Based on the above-described EPA Community Grant and CWSRF loan processes and timing and the critical nature of this project, NUA chose to proceed with bidding and obtain reimbursement from EPA and/or CWSRF when those financial instruments were approved. As a result, project was advertised on August 30, 2023 and bids were opened on Thursday, October 19, 2023. Crossland Heavy Contractors were deemed the lowest and best Bidder with a base bid in the amount of \$3,320,000, and Contract was awarded at the November 28, 2023 Council Meeting. Pre-Work Meeting convened in December 2023. Notice to Proceed was issued in January 2024, and shop drawing approval and procurement processes commenced immediately thereafter.

In March 2024, NUA received confirmation that the EPA Community Funding Grant in the amount of \$5,000,000 had been officially authorized and funded. However, the grant included a strict Buy America Build America (BABA) clause

while the project bidding documents and thus the resultant contract with Crossland Heavy Contractors did not include this requirement. Between April and June 2024, NUA convened numerous meetings with EPA and Garver to determine the appropriate path forward that would allow NUA to accept this grant. Based on EPA input, NUA requested a "Technical Correction" from EPA that would allow some or all funding from the grant to be expended on other critical projects at the WRF, and, in September 2024, EPA officially approved the "Technical Correction". This will allow the grant funds to be expended on the WRF Blower Replacement and WRF Laboratory Renovation, and New Maintenance Facility projects (details on both projects are updated elsewhere in this report), while this project will now be funded using a combination of internally-generated funds and the CWSRF loan.

During January 2025, Crossland continued rerouting and/or installing new electrical conduit and process piping in preparation for installation of first new centrifuge. In late January, the mechanical equipment associated with both centrifuges was delivered. The first of the centrifuges should be set in place during the month of February 2025, after which Crossland and subcontractors will commence connecting piping and terminating power and control wiring to/from the new unit. Control panels are scheduled to be delivered no later than March 1, 2025, after which the first new centrifuge will be connected to SCADA with testing, training, and startup expected to follow immediately thereafter. Crossland projects that the first centrifuge will be fully operational and ready to turn over to WRF staff no later than March 31, 2025. Once first new centrifuge is operational, the remaining existing centrifuge can be demolished, creating space for the second new centrifuge. The second new centrifuge will then be set and is projected to operational in June 2025. All work on project should be complete ahead of the current contract completion date in July 2025.

Engineer: Garver LLC (Michael "Cole" Niblett)

WRF New Maintenance Building (WW0318) and WRF Main Control Building Renovation (WW0325): - These two projects are being designed under a single design contract and are anticipated to be bid as a single project, so they will be updated as a single project as well. Due to plant improvements projects over the past two decades, space formerly used for spare part storage and maintenance work has gradually been incorporated into plant operations space, leaving a shortage of viable storage and work space. Project WW0318 will cover the construction of a new preengineered Maintenance Building for spare part storage and other critical maintenance activities to offset space lost in existing facilities since the main building was commissioned.

The Main Control Building at the WRF was constructed in 1982 and, while some building systems have been replaced and/or upgraded since then, many of the original interior and exterior finishes and fixtures as well as the main laboratory have not been replaced, updated, or renovated since original construction and are now nearing the end of their useful lives. Project WW0325 will renovate existing building and update layout and building systems as well as expand and renovate the laboratory to meet current standards.

Greeley Hansen was selected as the Architect for these two projects, and their Contract was approved on June 8, 2021. A design kickoff meeting convened in late June 2021. Greeley Hansen submitted a draft Preliminary Engineering Report (PER) in November 2021 and, after a review meeting later in November 2021, they submitted a final PER in late January 2022.

In March 2022, NUA elected to defer construction of this project for one fiscal year to FY 2023 for budgetary reasons. For this reason, while Construction Manager at Risk (CMaR) was originally being considered as the project delivery method, the project will instead be delivered by a traditional Design/Bid/Build method with Greeley Hansen completing a bid-ready final design during the remainder of 2022 but project will not bid until Spring 2023.

During August 2022, Greeley Hansen submitted 95% design documents. At time of submittal, it was agreed that a design review meeting would convene in February/March 2023 so that all comments and corrections noted can be addressed at one time just prior to advertisement, which was then projected to occur in May 2023. Since that time, the decision was made to defer construction of this project for two additional years, until FY 2026. However, as noted above in the discussion for WRF Dewatering Centrifuge Replacement (WW0326) project, NUA received an EPA Community Grant in the amount of \$5,000,000 for that project. However, for several reasons, a request for a "Technical Correction" was made to EPA that would allow for the grant funds to be used for this project (and the WRF Blower Replacement project which is discussed elsewhere in this report). This request was approved by EPA in

September 2024, which means that funds for the construction of this project are now available and project can be advertised and awarded as soon as practical.

In January 2025, Greeley and Hansen commenced finalizing plans and specifications for permitting and EPA approval (as part of Community Funding Grant award process) and for bidding. Tentative schedule calls for bidding project in late spring and awarding in early summer.

Engineer: TYLin (formerly Greely and Hansen LLC) (John Schmidt)

<u>Sewer Maintenance Project FYE19 (WW0321):</u> In 2001, the citizens of Norman approved a five-dollar per month sewer maintenance fee to provide for the systematic replacement of aged and deteriorating neighborhood sewer lines. The FYE 2019 study area is generally bounded by Lindsey Street and Timberdell Road and 24th Avenue SW and South Berry Road. Project will replace approximately 31,000 LF of 8" and 12" sanitary sewer lines using pipe-bursting techniques, and rehabilitate an additional 1,000 LF of 8" sanitary sewer lines using cast-in-place pipe lining techniques along with rehabilitation or replacement of 160 manholes and 610 services.

On November 30, 2021, City Council approved the use of on-call Contracts of Parkhill and Lemke Land Surveying to prepare bidding documents for this project. During May 2023, a preliminary set of plans was submitted for City of Norman review and a review meeting convened and in July 2023, 95% plans were submitted and a review meeting convened. Final Plans and Bidding Documents were completed and project was advertised on September 14, 2023. Bids were opened on October 5, 2023, and Krapff-Reynolds Construction Co. (KRCC) has been deemed the lowest and best bidder with a base bid plus bid alternate cost of \$5,468,900.50. City Council approved Contract Award on November 14, 2023. A Pre-Work Meeting convened in January 2024. After an extended procurement process, KRCC mobilized to the project in late March 2024, and sanitary sewer replacement and manhole rehabilitation is ongoing. As of the end of January 2025, the work was more than 80% complete and remains on schedule for final completion in the Summer of 2025.

Engineer: Parkhill (Sean Price)

WRF Digester #3 Roof Replacement (WW0336): The existing roof for Digester 3 has reached the end of its useful life and has experienced high rates of failure that warrant a project to upgrade the existing facility. Funding in FYE 24 is for an evaluation of Digester 3 and the roof. Future funding will be used to upgrade and rehabilitate the digester to extend the useful life of the asset. The operating impact of this project is that a full rehabilitation or replacement of the digester roof will more efficiently use funds rather than reactively repairing the roof when it fails.

As of May 2024, there will no longer be an exterior plate of metal welded over the leak in the roof of the digester due to safety concerns with respect to the gases escaping the leak. Garver, a consulting engineering firm, is preparing a work order for the internal assessment of the digester.

As of July 2024, the contractor onsite cleaning out another digester will be moving on to removing solids from the storm holding pond at the WRF after the current project, as they were the winning bidder for that project. In June 2024, we were going to solicit a quote for cleaning out Digester #3 after their current project concluded (cleaning out the digester they were originally contracted to clean). This Digester #3 cleanout would have been followed by an internal assessment of the structure's floating roof.

Instead, the WRF has hired staff who are experienced in welding. To save significant costs, we are currently developing a plan to drain the digester over the course of a week. Once the digester is drained, a minimum of two hydrogen sulfide and methane gas detectors (one interior near the proposed welding area and one exterior near the proposed welding area) would be placed as a safety precaution prior to any welding. Once the weld site is deemed safe from hazardous gases, WRF staff would then weld a steel plate on the exterior of the floating roof's crack to seal the roof again. Sealing the roof would allow for it to be repressurized and "float" once again.

This would be considered a temporary solution with an anticipated lifespan through 2028, when it is anticipated that more funds will be available to develop a more permanent solution, such as a roof replacement.

Following CIP discussions in January 2025, Digester #3 has been moved ahead of Digester #1 in digester cleanout projects. Digester #3 will be cleaned out as early as July 2025 for internal structural assessment of the digester and its

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roof, as well as to prepare the interior portion of the roof for a temporary fix. July 2025 is the beginning of FY 2026, which is when the next digester cleanout is scheduled. The temporary fix will be welding a metal plate over the exterior portion of the crack in the roof. The permanent roof replacement will likely happen in 2028 when more funds are available for the WRF to execute the full replacement for this CIP project.

Engineer: Garver – On-Call services

Sewer Maintenance Project FYE18 (WW0316): Annual project will replace about 27,800 feet of deteriorated sewer lines with High Density Polyethylene (HDPE) pipe and rehabilitate or replace about 108 manholes. Project area is bounded by Westbrook Terrace to the north, McGee to the west, Highway 9 to the south and Berry Road to the east.

From an email from Parkhill on 12-05-24 the preliminary SMP-18 plans for review are expected before January 1, 2025.

NUA staff had a meeting with the new engineering team assigned to this project at Parkhill on January 30, 2025. From this meeting, plans are expected to be in-hand by mid-February 2025.

Engineer: Staff with assistance from Lemke Surveying

Water Reclamation Facility (WRF) PFAS and Microplastics Fate and Transport: New regulations for PFAS are being promulgated by the EPA for drinking water but future regulations for wastewater effluent and biosolids are envisioned as well. To get information ahead of future rules for wastewater, this project will sample for PFAS and microplastics at locations throughout the WRF to determine levels through each process, PFAS formation or removal, and percentages of materials within liquid effluent or biosolids. Funding for this work will be from a loan from the Oklahoma Water Resources Board with 100 percent loan forgiveness (i.e., no ratepayer funds to be used).

The project Kickoff Meeting occurred 7/11/24 at the WRF. Garver to develop a sampling plan based on data received by WRF staff. NUA is also holding meetings with the USGS in August and September to explore additional CEC sampling at no cost to the NUA.

As of the end of November 2024, the sampling plan is in development. Equipment for the biosolids holding bins and plumbing to be acquired in February, after sampling plan review.

In August, NUA staff organized a meeting with USGS Research Hydrologists Michelle Lorah and Jason Masoner, and OU Professor of Civil Engineering and Environmental Sciences Bob Nairn regarding sampling.

As of December 2024, the WRF land application permit and soil testing is being reviewed by Garver to begin finalizing the sampling plan. A review of sampling needs will take place in January 2025.

An onsite meeting with Garver was conducted in January 2025. During this meeting, Garver announced plans to conduct baseline sampling for the liquid and solid treatment trains at the WRF in February 2025. Also occurring in February 2025, NUA staff will begin mixing biosolids and yard clippings to create Class-A compost, specifically for use in the biosolids troughs that will be created and regularly sampled throughout the duration of this project.

Engineer: Garver (Bryce Callies)

Water Reclamation Facility (WRF) Aeration Blower Replacements: The WRF has been in need of replacing two turbo blowers and outdated centrifugal blowers that supply the aeration basin with air for multiple years. The current turbo blowers have significant issues operating during the hottest portion of the year, and their replacements are already onsite. It is expected for the winning contractor to quickly install the new turbo blowers, but it could take upwards of a year or more to procure the other centrifugal blowers being replaced. This project also includes intake improvements for the turbo blowers and point repairs for leaks along the aeration main. Garver is the consultant on this project, and as of May 30 2024 bid opening, Crossland Heavy submitted the lowest bid, but bid award is still pending review.

In June 2024, EPA funding was authorized for this project. The authorization of the funding source is significant as this project must now meet all of the EPA requirements for funding. The project was bid with anticipation of using these funds, and now that funding is secured the project may proceed as anticipated.

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Preconstruction meeting occurred on July 30, 2024 at the WRF. Crossland Construction Contractors produced a schedule of work beginning in late Fall for the install of the Turbo Blowers. Lead times for electrical components for the centrifugal blowers are a driving factor for their installation not beginning until Winter of 2025. Crossland will be onsite at the WRF in August to verify measurements and confirm their construction sequence planning.

As of August 2024, installation of the turbo blowers is expected to begin in late November or early December in 2024.

This project is expected to be funded with EPA funds and a Resolution before the Norman City Council on October 8, 2024 will be presented to convert this project to be fully funded by the EPA (80% EPA, 20% City fund match required).

On October 14, 2024 Crossland Heavy repaired the leak in the blower main line, which was a base bid item. This was originally expected to be done in November, and this expedient repair has put them ahead of schedule. Crossland is currently working on removal and replacement of the first turbo blower, which may be completed in November instead of December.

As of the end of November 2024, the first turbo blower has been placed on its concrete pedestal and delays in electrical equipment has prevented finalization of the installation of the blower. Even with this delay, the project is still expected to be on schedule, with both turbo blowers installed by the end of February 2025.

As of December 2024, the project has experienced no further delays and the first turbo blower is still on pace to have its installation completed by the end of February 2025.

As of January 2025, the complete installation of the first turbo blower and WRF staff blower training is expected to occur in mid to late February 2025.

Engineer: Garver (Michael Nguyen)

Ashton Grove Lift Station Basin Study (WW0341): On April 9, 2024, the Norman Utilities Authority approved Contract K-2324-168 with Dukes Root Control, Inc. for \$118,794.72 to assess sewer line conditions in the Ashton Grove Lift Station Basin, located east of 48th Avenue NW and south of West Rock Creek Road. The study includes several forms of assessment, including utilizing a sewer line rapid assessment tool (SLRAT) for line assessment, manhole inspections, and flow tracking using 36 iTrackers to be placed in manholes throughout the project area. All assessments and field work completed in May 2024. During the 60-day iTracker period, the City has experienced several heavy rainfall events and will only need a 60-day period for the study instead of a 90-day period to gather sufficient inflow data.

As of July 18, all field work has been completed and iTrackers collected. Project report anticipated in late August or early September.

As of August 2024, deliverables are expected in early September with a follow-up deliverables presentation by Duke's soon after in September.

Deliverables presentation occurred on September 24, 2024. Deliverables presentation included SLRAT, manhole inspection, and iTracker results. City Staff to review deliverables and identify future actions for identified problem areas in October 2024.

During the Southwest American Water Works Association Conference, Peter met with Brian Conroy from Duke's in regard to inadequate data produced from several iTrackers in the project period. A follow-up meeting will be held in November to discuss what Duke's will do to resolve the gap in data.

Following discussion with Duke's staff, NUA produced a spreadsheet detailing the data issues with specific iTracker units. A follow-up meeting will be held with Duke's to determine how this issue may be compensated.

In a discussion regarding the meeting needs, a discrepancy between the Duke's iTracker flow out of the Ashton Grove Basin and NUA flow monitoring devices very near to the Ashton Grove Basin was discussed. The NUA flow values are to be given to Duke's for their evaluation and included in a January 2025 meeting.

Following the January 2025 meeting, Duke's reviewed the provided flow data and requested a February follow-up meeting so they can provide more details on the data provided and the study's performance. The goal of a more

detailed data analysis is to identify specific areas in Ashton Grove for smoke testing to detect infiltration and inflow issues.

SE Norman Lift Station Payback (WW0306): Staff has recently updated the wastewater model to project flows generated from full build-out of the Destin Landing Development in SE Norman. A series of interceptors as well as one large lift station with flow equalization can eliminate one existing and three proposed lift stations in southeast Norman. This project will estimate project costs, assign wastewater generation estimates to undeveloped properties to be serviced, and prorate payback costs per parcel based on wastewater generation projections. Developers might initially fund the lift station and/or the NUA with a portion of the funding paid back as additional areas develop. RFP issued 06/12/18 for this work with proposals due 07/15/18. On 08/07/18, staff selected Search, Inc. to prepare the sewer service area study and evaluate its potential as a payback project. Staff has placed this project on hold as they work through new Comp Plan and the outcome effects of a possible turnpike.

<u>Bishop Creek Interceptor Project (WW0174):</u> Project will replace or parallel approximately 20,600 feet of existing sewer interceptors in the in the Bishop Creek wastewater basin to accommodate the full build-out wastewater flows. The project area generally lies between Highway 9 and Constitution and between Jenkins and Classen Boulevard. Staff will soon prepare an RFP to select design consultant for this and other water/sewer projects.

### **WATER PROJECTS:**

Water Line Replacement, Parsons Addition Phases I and II (WA0246): Contract (K-1819-87) with Cabbiness Engineering, LLC (now part of Garver) was approved by NUA 12/11/18 to design the replacement of approximately 4,500 lineal feet of water line in the Parsons addition. Due to the project's close proximity to campus, the design process included public input from University of Oklahoma (OU), OU's sororities and fraternities, homeowners and landlords, and, based on that input and discussions with consultant and potential contractors, it was determined that the best of course of action would be to divide the project into two phases that would proceed generally during summer months when OU is not in regular session. As part of this process, it was also decided to install replacement mains in the streets rather than sidewalks wherever possible. Phase I was scheduled to begin July 1, 2019, and Phase II was originally scheduled for the summer of 2020.

Bids were opened for Phase I on June 13, 2019 and SW Water Works was low bidder at \$828,112. NUA approved contract June 25, 2019 and construction began July 8, 2019. Crews completed last concrete pours November 5, 2019. A final walk through by staff was performed on November 8, 2019, and NUA approved final as-bid to as-built quantities change order on January 28, 2020.

In March 2020, 2021, 2022, and 2023, Phase II was delayed until the following Spring each year. Phase II was advertised on March 7, 2024 and bids were opened on March 28, 2024. Southwest Water Works (SWWW) of Oklahoma City, Oklahoma was the apparent low bidder with a base bid of \$3,250,256. City Council authorized Contract Award on April 9, 2024, and immediately after Contract Award, Notice to Proceed with shop drawings and material procurement was issued. As per Contract, Notice to Proceed with Construction was issued on May 13, 2024 (Monday after OU's Spring 2024 Graduation Weekend), and, as of August 2, 2024, all work including punchlist work, was complete ahead of the Contract Completion Date of August 4, 2024. Documentation for final acceptance, final payment and the final change order have all been prepared and signed by the contractor and engineer, and was approved by City Council approval at their January 14, 2025 meeting. This will be the final update for this project.

Engineer: Garver, LLC (formerly Cabbiness Engineering) (Michael Nguyen)

Robinson Water Line: 24<sup>th</sup> Ave NE to 12<sup>th</sup> Ave NE — Jacobs Engineering was selected as the consultant for the 30-inch water line project from 24<sup>th</sup>Ave NE to 12<sup>th</sup>Ave NE. The contract was approved by NUA on November 26, 2019, and project kickoff meeting was held January 14<sup>th</sup>, 2020. On May 6, 2020, a preliminary plan review meeting convened with NUA and Jacobs staff in attendance, and updated preliminary plans were approved in August 2020. In February 2021, 65% plans and specifications were submitted, and, after review by NUA and additional investigations by Jacobs, the 65% plans were approved in late 2021 with a revised alignment that included 900 LF of pipeline being installed in the southernmost traffic lane of E. Robinson Avenue.

During April 2022, the decision was made to defer construction on this project until at least Fiscal Year 2023/24. From that point, it was agreed that Jacobs could schedule final design work and easement acquisition at a pace intended to synchronize completion of final design, receipt of permit, and purchase of all easements with this revised construction schedule. However, Jacobs encountered issues with their chosen alignment, largely associated with a previously-unidentified and currently-unused OG&E easement along Robinson Avenue in front of large, adjacent properties owned by the United States Department of Veterans Affairs and J.D. McCarty. OG&E has now given formal authorization for Norman Utilities to encroach on their easement as needed for this project so preparation of final plans and easement acquisitions can now proceed.

Due to the critical nature of the project and the delayed progress in finalizing design for bid, a meeting convened between NUA and Jacobs on January 6, 2025. At that time, Jacobs committed to completing final design as well as obtaining easements and permits as soon as practical with a goal of having a bid-ready project no later than June 2025. Advertisement, Award, and Notice to Proceed with Construction would follow immediately upon receipt of bid-ready plans.

Engineer: Jacobs Engineering (Arun Srinivasan)

Robinson Water Tower Resurfacing (WA0382), Lindsey Water Tower Resurfacing or Demolition (WA0182), and Non-Potable Water Expansion Study: Lindsey Tower was decommissioned approximately 10 years ago because it is not tall enough to act as viable potable water system storage at current system operating pressures. However, before receiving bids to demolish the tank, Norman Utilities Authority (NUA) received it's 2060 Strategic Water Supply Plan, which included a recommendation that, in the future, NUA evaluate the economics of a recycled water system for irrigation cliaents that could potentially use Lindsey Tower as dedicated storage. For this reason, demolition of Lindsey Tower was deferred until a future recycled water system could be evaluated. In 2020, the coatings on the tower began to show signs of deterioration. For this reason, Dunham Engineering evaluated the condition of the tank in the Fall of 2020, and they determined that the underlying steel was in good condition and the tank could be repainted and recommissioned for many years of additional service if needed. In July 2021, NUA requested that Dunham provide a proposed scope and fee for Lindsey Water Tower rehabilitation. Dunham submitted their proposed scope and fee in early October 2021. Scope and fees were negotiated, However, before submitting Contract for City Council approval, NUA has decided to await outcome of ongoing study being performed by Plummer Engineering, which is described in the following paragraphs and will directly impact future usage, if any, for Lindsey Tank.

In October 2021, NUA requested that Plummer Engineering furnish a scope and fee proposal to analyze the possibility of constructing a recycled water system using treated effluent from the Norman Water Reclamation Facility (WRF) to supply irrigation water to Reaves Park on the University of Oklahoma (OU) campus and to 10 to 15 other potential customers to the east of the WRF and Reaves Park, generally on or near Highway 9, as described Norman's 2060 Strategic Water Supply Plan. This recycled water system would necessarily run in close proximity to Lindsey Tower so, as part of their analysis, Plummer was also directed to assess the possibility of repurposing Lindsey Tower as dedicated storage for this new non-potable water system. Plummer's scope and fee was finalized in November 2021 and their Contract was approved by City Council on December 14, 2021. In March 2023, City of Norman furnished additional requested data to Plummer to assist in finalizing their analysis, and on September 29, 2023, a draft report was submitted for City of Norman review. During the fall of 2024, there were multiple meetings and conference calls between Plummer and NUA to clarify details of report. Final conclusion was that neither the repurposing of Lindsey Tower for a future Non-Potable Recycled Water System nor returning Lindsey Tower to service as potable water storage were financially viable. As a result, the only option left to NUA was the demolition of Lindsey Tower.

The conclusions of Plummer's report were presented to City Council in the March 12, 2024 Conference Meeting. In response, City Council indicated that, because of its visibility and proximity to OU's stadium, the tower may have value to the City as a landmark with City of Norman logo (and possibly an OU logo paid for by OU). For this reason, City Council indicated that, depending on costs and possible contributions by others, they may be interested in City of Norman taking possession of Lindsey Tower and using General Funds (and other contributions) to paint just the exterior of the tank so it could serve as a landmark. After further discussion, NUA noted that, unrelated to Lindsey Water Tower, funding has been budgeted in FY 2025 for Project WA0382, Robinson Tower Resurfacing. Consequently, NUA could prepare a single bid package that would include both Robinson Tower Resurfacing and two alternates for Lindsey Tower: (1).

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Demolition of Lindsey Tower; and (2). Resurfacing of Exterior of Lindsey Tower (so it could serve as a landmark). By combining the work on two water towers, NUA could expect to receive the most competitive bids. After bids are received, City Council could determine, based on actual costs, if they want to proceed with funding the exterior resurfacing of Lindsey Tower from the General Fund with a contribution from NUA equal to the cost of the demolition alternative or if they will simply direct NUA to accept the demolition alternative and demolish Lindsey Tower. City Council directed that NUA proceed with this option. Based on this direction, a contract was negotiated with Coastal Windforce, Inc. (formerly Dunham Engineering) to prepare a single set of Bidding Documents covering Robinson Tower Resurfacing and the two alternates for Lindsey Tower (Demolition or Exterior Resurfacing Only) and to perform construction administration and management services for the Work at both towers, and Engineering Contract No. K-2324-169 was approved at the May 14, 2024 City Council Meeting.

On March 21, 2024, the combined bid package for Robinson Tower Resurfacing and the two alternates for Lindsey Tower were advertised. These bids were opened on April 18, 2024. The actual costs for the two alternatives were presented to City Council at the April 23, 2024 Conference Meeting. During that meeting, City Council deferred a decision until they could further investigate options and implications for funding the alternative to preserve Lindsey Tower. In mid-May, NUA was directed to proceed with the resurfacing of Robinson Tower, but to defer any work on Lindsey Tower for at least 6 months to allow for further time to investigate possible funding sources to preserve it. NUA determined that most sensible path forward entailed awarding a contract to the lowest and best bidder, G&L Tank Sandblasting & Painting of Shelbyville, Tennessee (G&L), for the combined Robinson Tower Resurfacing/Lindsey Tower Demolition alternate with added contract language requiring G&L to defer demolition of Lindsey Tower for a minimum of 6 months after Contract Award. If at the end of the 6-month deferral, City Council decides to proceed with preservation of Lindsey Tower or if they wish to further defer their decision, the demolition portion of the Contract would be deleted by Change Order. Then, once a final decision is made, either the demolition or rehabilitation of Lindsey Tower would be rebid.

On May 28, 2024, City Council approved award of Contract K-2324-143 in the amount of \$816,200.00 (\$504,200.00 for the resurfacing of Robinson Tower and \$312,000.00 for the demolition of Lindsey Tower). As noted above, the awarded Contract included a requirement that demolition of Lindsey Tower be deferred a minimum of 6 months with the understanding that, at the end of that time, City of Norman will decide to either proceed with the demolition or delete that work in its entirety from the Contract. In late November 2024, a final determination was made to pursue options to resurface Lindsey Tower. As a result, a change order is being prepared to delete this work from G&L's contract, and it should be submitted for City Council in January 2025.

At Robinson Tower during the month of January 2025, G&L completed coating work on the project. A final inspection convened on January 31, 2025 and a punchlist was generated. G&L should complete work on the punchlist and disinfect tank during the month of February 2025. Final Acceptance and final payment should follow in March 2025.

Engineer: Dunham Engineering for Lindsey Tower (Joe Seiter) and Plummer (Jonathan McCarthy) for Non-potable Water System Study.

<u>Tecumseh Water Line Replacement (WA0380):</u> The existing 24-inch water line along Tecumseh Road is a vital component of the Norman water distribution system. The crossing of Interstate 35 is a portion that is extremely deep and is not able to be worked on by City staff due to this depth. This project will replace the pipe generally from Flood Avenue to Journey Parkway to provide more reliable and maintainable water service to the area and for transmission of water under Interstate 35. This project will also replace several ductile iron laterals along this corridor. Contract was executed on February 27, 2024. Proposed alignment was reviewed and comments sent back to Plummer in May 2024. Next steps are to meet with Public Works on the timing of Tecumseh Road Widening Project from 24<sup>th</sup> to Flood, in an effort to determine the best window to replace the waterline along that section of road.

A meeting with ODOT occurred in June 2024, with ODOT accepting the proposed alignment. The next steps in this project are to execute the alignment survey and begin geotechnical assessment of the soil near I-35.

As of July 2024, the alignment survey is to be scheduled in September, with 30% plan development to follow the survey.

The alignment survey was completed in September 2024, and the 30% plans are currently in development. The survey yielded no unexpected findings.

In October 2024, Peter was informed that the Plummer engineers on the project, Alan Swartz and Tayler Kent, were leaving Plummer. A follow-up meeting was held to discuss the status of the project, and Robert Weinert, the engineer replacing Alan Swartz as the lead was introduced. Robert is a seasoned engineer and has worked on large projects for NUA in the past (Robinson Phase I and II WL Replacement).

A technical memorandum is expected in late November, with the 30% plans pushed back to early December.

The technical memorandum was received in December with 35% plans, and is being reviewed by NUA staff.

As of January 2025, the 35% plans are still under review.

Engineer: Plummer (Robert Weinert)

Danfield Water Line Replacement (WA0379): This project will replace the existing 6 and 8-inch lines running along Danfield from where it intersects Brookhaven Blvd on the south the north to where it intersects the same street to the north. The existing lines are ductile iron pipe that are 40-50 years old and have experienced a significant amount of corrosion that have impacted water service to the development. The project is approximately 4,000 linear feet. The final design will also include waterline replacement of all five cul-de-sacs located in this section of Danfield. As of the first week in February, design for the Master Alignment has been completed. As of the first week in March 2024, design is underway. Design phase completion is expected in late April 2024. Follow-up with Parkihill on May 7, 2024 has design phase expected completion on May 17.

Plans were received on Monday October 7, 2024 and are currently under review by Norman Utilities Staff.

Staff has completed review of plans and bid documents are being prepared while Parkhill addresses NUA comments on the design.

From a 12-5-24 update email, NUA expects to receive the completed plans by January 1, 2025.

The Parkhill engineer on this project has moved to a different company and a meeting with the new project manager at Parkhill will take place in January 2025. As the initial plans were already received by NUA and returned to Parkhill with NUA comments to address, the final plans are expected to come in January or February 2025. NUA staff will meet with the new project manager in January to determine how close Parkhill is to tendering final plans.

During the meeting with the new Parkhill team assigned to this project, Parkhill determined the final plans will be ready by mid-February.

Engineer: Parkhill (Sean Price)

Advanced Metering Infrastructure (WA0351): The City of Norman has an aged water meter population and current and improvement technology have improved such that advanced metering infrastructure would provide significant benefits for the City and its customers. The implementation of this technology will reduce staff requirements for the reading of meters and will ensure more timely and accurate readings. With daily water usage information accessible for staff and the customer, customers will be able to be notified of leaks and better understand how water is used at their property. This will also help with water conservation efforts and billing resolutions. In addition to water metering improvements, the system and technology will also be leveraged to the maximum extent possible for monitoring the water system and other City needs. The consultant has completed the assessment phase of the project. The procurement phase, specifically the generation of the Request for Proposal, began in November. In May 2022, the Bureau of Reclamation notified staff that the City was awarded a \$500,000 grant under the Watersmart program or a \$2,000,000 grant under the Bipartisan Infrastructure Law program. Upon direction from City Council, staff is moving forward with this project to fully implement the project. Request for Proposal (RFP) 2223-13 was issued on August 25, 2022. Proposals were received. Three vendors were short-listed and interviews were completed November 15-17, 2022. The top-ranked vendor was selected and contract negotiations are underway. A waiver from the BOR was received and the project is now moving forward with contracts awarded on April 9, 2024. The formal implementation kickoff was held in June. Radio network is installed and meters are communicating and reading on the system. Integration work for software is ongoing. The Initial Deployment Area is complete and but work is still ongoing to allow for testing of systems and

integrations. Meter replacement rate has slowed for the holidays and winter weather but will ramp back up at temperatures and weather improve. Approximately 5,500 meters have been upgraded to-date.

Consultant: E Source (Alyssa Pourciau)

Lead Service Line Inventory and Replacement (WA0384): The recent Lead and Copper Rule Revision will require new measures for utilities to comply with the rule. Specifically included within this proposed funding are 1) Inventory of approximately 5,000 service lines, 2) Distribution of pitchers to 20,000 locations, and 3) testing of 20,000 locations resulting from any disturbance. Costs for the inventory continue until completed. Reduced costs for the pitchers and testing are proposed in later years since the Advanced Water Metering project will be completed. Line Maintenance has continued to complete service line inventories and, based on the results of the surveys and discussions with the ODEQ, the estimated number of unknowns was reduced to approximately 4,500 services. The final inventory was submitted to the DEQ on October 16, 2024. Service line verification was completed for Norman schools and is currently ongoing for locations recommended by Voda.AI.

James Garner Ave Waterline Replacement from Main to Duffy (WA0338): This project will replace the aging 6, 8, 12, and 16-inch waterlines between Main Street and Duffy Street along James Garner Avenue in conjunction with the Public Works Department James Garner Avenue Streetscape project currently being designed by Cowan Group Engineering, LLC. The waterlines in this area are over 50 years old and have experienced failures that disrupt water service and traffic flows. Replacement of these waterlines prior to the surface improvements would ensure good infrastructure and reduce the likelihood that the surface improvements have to be removed and replaced for future water line replacements work. NUA entered into a contract with Cowan Group Engineering, LLC in the amount of \$93,800 on June 22, 2021. A contract transmittal was sent with a start date of June 29, 2021. A kick-off meeting was held February 15, 2022 after 60% streetscape plans were completed. Funding for the streetscape work has still not been determined. This funding will determine when the waterline project needs to begin and end. The waterline will need to be completed before the roadway work begins. Additional items were added to the project so an amendment will be brought to City Council for approval. This project will be completed in combination with the Public Works project to reduce overall restoration costs and impacts to the public. Additional comments were provided to the Engineer and they have finalized plans with the project to be advertised for bid in February.

Engineer: Cowan Group Engineering, LLC (Jeff Cowan)

Jenkins Avenue Waterline Replacement (WA0353): This project will replace approximately 2,500 feet of existing 6-inch waterline with new 12-inch waterline in concert with the planned widening of Jenkins Avenue through the City of Norman Public Works Department. This project will also design a 1,000-foot extension of the Segment D transmission line recommended by the 2003 water mater plan. In addition, this project will install a non-potable reuse line from Imhoff Road to Constitution Street. Freese and Nichols, Inc. is currently under contract with Public Works to design the widening on Jenkins Avenue and also the intersection improvements at Jenkins Avenue/Constitution Street/Imhoff Street, so staff determined that it would be in the best interest of the NUA to contract with Freese and Nichols, Inc. for this waterline project in order to ensure a cohesive design for both street improvements and the new water lines in this area. The contract with Freese and Nichols was approved by council on April 27, 2021 in the amount of \$95,740. Staff had a project kick-off meeting with engineers on May 27, 2021. Public Works will be combining the waterline work into the ODOT streetscape project. This will save money in restoration costs and allow for a shorter construction period for the entire project. Public Works is reviewing the current waterline plans before sending to engineers for revisions. Final plans, bidding, and construction dates will be determined based on the schedule for the rest of the project. ODOT has bid the project and will award contract. The Pre-Work meeting was held on February 12, 2025 with work expected to being in March.

<u>Water Line Desktop Condition Assessment (WA0337):</u> This contract provides for our consultant, Voda.AI, to complete a desktop condition assessment of the water lines within the distribution system. Each segment of water line within the City's database will be evaluated and scored for both likelihood and consequence of failure using information from GIS databases such as pipe age, material, soil conditions, and other factors relevant to pipe reliability. To prove their model's validity for our system, the model will be set up using historical data and the analysis will then be performed and compared against actual results for a test year. Staff have been working with the consultant to provide data and working through data cleanup. Initial results were provided in November. Staff reviewed the information in December

and had modifications/corrections. Updated information provided and staff will complete an additional review ir February.

## Southlake Addition Waterline Replacement (WA0352):

This project will replace approximately 7,500 linear feet of aging waterlines within the Southlake Addition, which is located between Cedar Lane and State Highway 9, just east of Classen Blvd (SH 77). The existing lines are ductile iron pipe that were installed in the 1980s and have experienced a significant amount of corrosion, causing a significant number of breaks impacting water service to the neighborhood. This project will install replacement 8-inch mains to replace the existing lines, along with minimal amounts of 6-inch for small streets and short dead-end lines, and will then reconnect services for the residents. A Request for Proposals (RFP) for this project was published in the Norman Transcript on July 15, 2021. Staff received 18 proposals on August 5, 2021. Staff reviewed each proposal and selected a firm using the ranking criteria listed in the RFP. Smith Roberts Baldischwiler (SRB) ranked the highest and was selected for the project and a contract in the amount of \$59,000 was awarded on November 9, 2021, Line Maintenance potholed 27 locations (approximately 20%) in this neighborhood to determine if lead service line replacement will be necessary. All service lines potholed were found to be made of copper. Bids were opened on July 13, 2023 where Cimarron Construction Company was the low bidder at \$2,631,347.00. This number includes replacement of Southlake Addition waterlines as well as waterlines at 1932 E Lindsey Street that have had frequent breaks in the last fiscal year, for which Line Maintenance has had to temporarily repair. A contract with Cimarron Construction Co. was approved by City Council on August 8, 2023. A pre-construction meeting was held on August 29, 2023. All punch list items have been completed at the apartment complex. Contractor has completed the installation of all the lines within the Southlake development. Remaining items of work will be cleanup as weather conditions permit.

### Well Field Blending and Future Groundwater Treatment Site (WA0214):

This project will determine the best location, layout, and treatment processes for blending and treating the 41 active groundwater wells utilized by the City of Norman. All active wells are currently in compliance with the standards set forth in the Safe Drinking Water Act and Public Water Supply Operations are not required to provide treatment and residual disinfectant under Oklahoma Administrative Code 252:631. However, the NUA also treats and distributes surface water from Lake Thunderbird. Since the water from the surface water source and the groundwater wells is blended in the distribution system piping, ODEQ has indicated that the system will need to be modified such that a minimum disinfectant residual of 1.0 mg/L of total chloramines (NHCL<sub>2</sub>) should be found throughout all parts of the system in the future. In addition, maximum contaminant levels (MCLs) of total chromium and arsenic may be lowered by EPA, and a new MCL for hexavalent chromium may be established in the future, thus requiring additional treatment for the groundwater wells. NUA entered into a contract with Carollo Engineering, Inc. on June 22, 2021 in the amount of \$95,090 to develop preliminary layouts for the future build-out of the facility including immediate needs and future treatment processes. The Notice to Proceed date was set for June 29, 2021 and a kick-off meeting and site field investigations are scheduled to be held on July 21, 2021. Staff met with SRB, LLC this month to obtain assistance for acquiring the land needed for the blending location which includes review of property records, survey and map, and negotiation assistance. A Purchase Order was created for \$16,200 for these services, and a 28-acre parcel of land was approved to be purchased by Council on February 22, 2022 in the amount of \$800,000. This 28-acres, which became for sale in 2021, is located near a potential site that was evaluated as being in a more favorable location based on the layout of our wellfield, as indicated by a hydraulic model conducted by Plummer Associates, LLC. A final Technical Memo was received from Carollo in August 2022 and was sent to Plummer. This memo will be utilized by Plummer to determine the layout and modeling needed for the preliminary disinfection system. The engineering contract with Plummer for design of the disinfection system was approved by Council on October 11, 2022 in the amount of \$528,900. Staff had a kick-off meeting on November 1, 2022 with engineers. Staff held the chlorine demand and disinfection byproducts testing on December 19, 2022 at the WTP. No DBPs were detected and demand was very low, as expected. An additional sum of \$49,286 was added to the contract for work needed to improve the design following public comments. Engineers are working on the Drainage Report and other information needed by the Planning Committee for the plat and an amendment was sent this week for review.

Site Evaluation Engineer: Carollo Engineering, Inc. (Tom Crowley & Rebecca Poole) Land Acquisition: Smith Roberts Baldischwiler (Bryan Mitchell) Disinfection System Engineer: Plummer Associates (Alan Swartz)

### Water Treatment Plant Clarifier 1 and 2 Rehabilitation (WA0375):

Clarifiers 1 and 2 at the Water Treatment Plant (WTP) were installed in 1965 and have experienced deterioration warranting replacement of gearboxes and motors, in addition to new coats of paint. After 55 years in service, it's expected that the structural integrity of these clarifiers will have decreased. In July 2021, staff hired Suez Water Technology Solutions Services, Inc., who currently own the "Accelator" technology employed by these two clarifiers, to perform a visual inspection on one of the clarifiers. They found pitting and corrosion of steel and indicated the need to repair/replace the launder and outer wall brackets, in addition to realignment for the hood structure and circular deckplate, and re-painting the structure. This project will first entail a more in-depth condition assessment of both clarifiers 1 and 2 by Carollo Engineers, Inc, including visual and non-destructive testing of the concrete to determine areas of possible concern and ultrasonic thickness testing for metal structures. A final technical memorandum will be provided with their findings in addition to estimated costs for needed repairs in order to obtain reliable capacity from the clarifiers for the next 20-40 years. A contract with schedule, scope, and fee of \$73,991.00 was obtained with Carollo and was awarded on December 14, 2021. Staff held a kickoff meeting with Carollo on December 22, 2021. An inspection and metal thickness testing was held on January 27, 2022. Paint samples were collected on February 8, 2022 for lead testing. A final Technical Memo was received in June 2022 which explained the most necessary repairs needed on clarifiers 1 and 2 are structural and electrical elements. To repair these elements only, the cost would be about \$551,096. In addition, alternates were provided for additional repair/replacements that aren't as dire. Alternate 1 consists of structural and electrical repairs in addition to metal repairs and recoating. Alternate 2 consists of structural and electrical repairs in addition to replacing both clarifiers with new carbon steel tanks. Alternate 3 consists of structural and electrical repairs in addition to replacing both clarifiers with stainless steel tanks. Cost for these alternates are \$2,306,254, \$2,742,868, and \$2,887,684, respectively. Life cycle costs decrease with each alternate. In addition, repairs and recoating to clarifier 3 were included at a cost of \$502,695. WTP staff are reviewing what they would like to do moving forward based on funding and timeline. Staff has determined that clarifier 3 is in most dire need for recoating/potential metal repairs and would like this to be accomplished with funds for this project. Repairs to clarifiers 1 and 2 would be completed at a later date if funding allows. Staff met with Carollo on July 19, 2023 to discuss combining this work with other WTP projects that need to be completed.

## **SANITATION CAPITAL PROJECTS:**

## Compost Facility Scale House (SA0019):

This project will modify the existing City compost facility layout located at Bratcher Minor Road, west of Jenkins, to facilitate a more efficient operation for the public and facility, install scales used for weighing large loads of compost, and construction of a modular building with potable water and sanitary sewer for staff in charge of coordinating with customers. This building will also replace the prefabricated building purchased in 2003 that has become severely deteriorated and inadequate. Based on the project scope, staff appointed TriCore Group, LLC as the engineer responsible for design and bidding services. City Council approved the contract with TriCore Group in the amount of \$30,500 on May 11, 2021. Staff met with Engineers on March 4, 2022 to discuss preliminary plans. It was determined that a permanent building be built, rather than a prefabricated building, to better accommodate operations. In order to do this, Engineers had to subcontract an architect for the design of the building. An amendment to the contract for architectural services was approved by Council on April 12, 2022, which increased the cost of engineering services to \$39,000. The engineer requested an increase of \$4,000 to the contract in order to pay for redesign of the architectural plans. Staff is working on revisions to the contract to approve a final contract amount of \$43,000. Staff received final plans and specifications from the engineers on September 6, 2022 and are reviewing before starting the bid process. Planning reviewed the current set of plans and sent their comments on June 23, 2023. These were forwarded to the Engineer for incorporation to the final plan set. A guote for access control and cameras (Convergint) and low voltage (TransTel) was obtained by IT in June. The Engineer sent a revised set of plans this month. Upon review, there are pay items missing for concrete and asphalt work, as well as details and specifications missing for the storm shelter and other important components. Comments from Planning were not incorporated and a revised specifications book has not been sent. Updated plans and specifications are currently being prepared by TriCore. As of the first week in March 2024, City of Norman comments on the plans and specifications are currently being addressed by TriCore prior to entering the bidding phase of this project.

A discussion with Tricore took place on October 2, 2024 and they requested for Norman Utilities Staff to begin compiling bid documents. Bid documents are expected to be completed in November with the bidding process beginning in December. This project doesn't have the same priority as projects with federal or state funding window

Item 5.

constraints such as the WRF Aeration Blowers and Biosolids CEC project, or projects that will have a greater impact or Norman residents such as the Danfield WL Replacement and SMP-18, which have all required significant input from the NUA in the period originally designated for producing the bid documents in October.

This project is expected to go out for bid in January or early February 2025. A request was made for Tricore to tender plans to Development Services for review while the bidding documents are finalized and the bidding process begins.

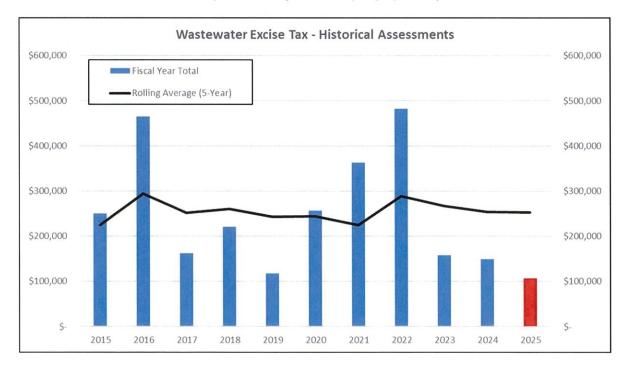
The project went out for bid in January and bid opening will be on February 27, 2025.

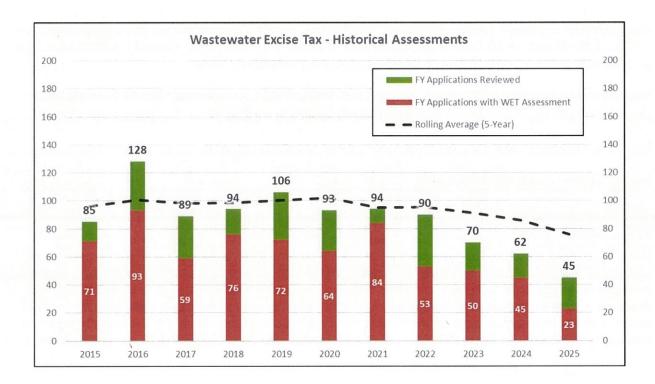
Engineer: TriCore Group, LLC (Greg Vance)

Sanitation Cost-of-Service Study (SA0025): This study will complete a financial evaluation of the Sanitation Fund. Raftelis, who has performed several financial studies for the Utilities Department, was selected to complete this work. Under this contract, Raftelis will evaluate the overall financial condition of the Sanitation fund amidst increasing costs. In summary, this study will develop a financial plan based on historical revenues and anticipated operating and capital expenditures, assess costs for service for various customer classes and services provided to sanitation customers, evaluate the current rate structure and prepare recommended modifications or increases to eliminate customer class subsidies and/or meet requirements for the financial plan; and present information to City Council. Contract was awarded by City Council on January 23, 2024. Staff are compiling information through FYE2024 to provide the most accurate data to the consultant along with updated contract costs for solid waste disposal, comingled recycling, and drop center recycling.

## Wastewater Excise Tax - Non-Residential:

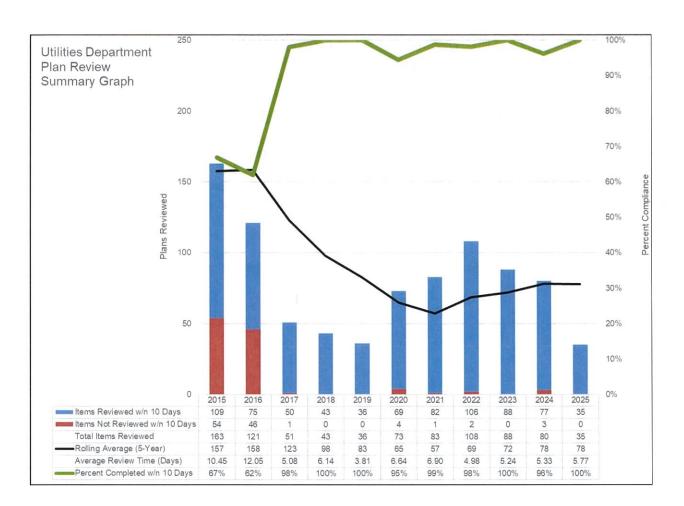
WRF Investment Fee/Wastewater Excise Tax: Staff evaluated the Wastewater Excise Tax on four commercial entities last month. One application was determined to increase wastewater flows over the previous use of the site. For the fiscal year, 42 commercial properties have been reviewed and a total of \$106,845.74 has been assessed to the entities that will increase wastewater flows for their respective property. Below are graphs showing the amount assessed and the number reviewed (current through date of report preparation).





## **PLAN REVIEW:**

Eight plan sets were reviewed this past month. Staff has reviewed 34 plans for the current fiscal year with an average review time of 5.77 days and with 100 percent of plans reviewed within 10 days. Graph current through date or report generation.



### **RECOUPMENT PROJECTS:**

- NW Sewer Study: 36th Interceptor & Force Main Payback projects established in 1998/1999: Because of abandonment of Carrington LS, two resolutions reducing number of parcels requiring payback approved 01/10/12. Releases for many properties now served by North interceptor system projects were filed of record in 2012. NUA approved appropriation of payback funds on 12/05/17. Collected payback fees of \$697 for Jolley Addition on 03/23/18. NUA approved appropriation of payback funds 12/10/19 allowing staff to issue payback checks to developers in late December 2019.
- 2. <u>Sewer Service Area 5 Payback</u>: Payback project established by R-0304-13 for NUA share of sewer improvements along Highway 9 from the Summit Valley Lift Station to the USPS.
- 3. <u>North Porter Waterline Payback:</u> Payback project established 04/12/05 for 12-inch waterline constructed by Calvary Free Will Baptist Church along Porter Avenue from Tecumseh Road north. Total payback to date is \$0.00 of potential \$61,177.
- 36th Avenue NW Waterline Payback: Payback project established 08/24/99 for 24-inch waterline along 36th Avenue NW from Tecumseh Road to SE 34th in Moore. Total payback to date is \$65,123.
- 24th Avenue NW Waterline Payback: Payback project established 04/22/08 for 24-inch waterline along 24th Avenue NW from convention center to Tecumseh Road. Medcore billed \$27,212 on 04/15/20; total payback to date is \$87,074 of original project cost of \$346,134.
- 6. Post Oak Lift Station Payback: Payback project approved 04/14/09 for sewer and lift station improvements to serve the Links development and other properties in SE Norman. Construction complete and final payback costs approved 01/25/11. Parcel 5 payback of \$15,717.09 paid 12/15/15; total of \$15,717.09 paid to date and will be returned to Links at end of fiscal year. Payback funds returned to Links in January 2018. Links check reissued in July 2019 as previous check was never cashed.

- Interstate Drive Waterline Payback: NUA approved payback project on 04/22/14 for waterline improvements in University North Park in conjunction with the extension of Interstate Drive. Construction was complete in late 2015. Staff has finalized project costs, payback amounts and the Final Payback resolution approved 12/10/19. Hudiburg Subaru billed \$28,540 on 04/24/20 and UNP was billed \$32,963 for detention pond on 04/24/20.
- 8. Ruby Grant Waterline Payback: NUA will soon consider a new waterline payback project for waterline improvements along Franklin Road in conjunction with the Ruby Grant Park Improvements. Norman Forward through the Parks Department will fund 50% and the NUA will fund the remaining costs to be paid back over 20 years as property to the north develops. Design plans are complete and project will bid 07/25/19. Ruby Grant Waterline Payback project approved by Council 12/10/19; construction of 12-inch waterline is nearing completion. Battison Honda is considering new development along Interstate Drive north of Franklin Road that will connect to the Ruby Grant Waterline.

## **Private Water Well Permits Issued**

4 water well permits (PRWL202500052, -00054. -00146. -00237) were issued for the month of January.

## DIVISION OF ENVIRONMENTAL RESILIENCE AND SUSTAINABILITY January 2025 SUMMARY

	MONTHLY	YEAR-TO-DATE
STORMWATER O	ONSTRUCTION SW	
INSPECTIONS	85	589
ACTIVE SITES	79	562
CITATIONS	0	0
NOVS	0	0
CDOS	0	0
swos	0	0
ECPS	3	19

STORMWATER M	S4 OPERATIONS	
ACTION CENTER	0	14
PWSTORMWATER	0	5
CALLS	1	45
OTHER	3	55
TOTAL INQUIRIES	4	105
OUTFALL INSPECTIONS	0	15
MCM 5 INSPECTIONS	0	122
MCM 6/P2 INSPECTIONS	0	13

PRETREATMENT/FATS, OILS, A	AND GREASE (FOG)	PROGRAM
FOG INSPECTIONS	19	145
FOOD LICENSE APPROVAL	4	23
SIU INSPECTIONS	0	9
SIU SITES SAMPLED	0	17
TABLE II MONITORING (%)	100%	100%
TABLE III MONITORING (%)	25%	25%

HOUSEHOLD HA	ZARDOUS WASTE	
HHWF: CARS SERVED	43	427
SWAP SHOP VISITS	7	39
OIL DISPOSED	1505	31577
ANTIFREEZE DISPOSED	0	2745
TIRES DISPOSED	11160	88335
HHW MATERIAL COLLECTED	1543.5	24025
E-WASTE: CARS SERVED	0	370
E-WASTE COLLECTED	0	20089
TOTAL CARS SERVED	43	821
TOTAL MATERIAL COLLECTED	1543.5	46202

R	REVENUE				
FOG PROGRAM	\$	2,600.00	\$	10,300.00	
SURCHARGE	\$	10,723.97	\$	79,790.66	
LAB ANALYSIS RECOVERY	\$	-	\$	-	
IND. Dischg. Permit fee	\$	-	\$	36,554.52	
TOTAL	\$	13,323.97	\$	126,645.18	

## **ACTIVITIES ECAB** Meeting: January 15: Provided staff liaison support including attending meetings, preparation of minutes, speaker Finishing meetings with appropriate and responsible staff ECAB working on Poster Contest and other activities for the new year. Working on efforts to reduce contamination in recycling **DoERS** Active participation and facilitiation of the AIM Stormwater Committee. Active participation on COSWA, OCASA, LTWA, OKRA and IPC - R6 Boards. On January 14, Loudenback presented on ABW-Opportunity Knocks for Study Session On January 17, new ECS JD Epperson began his tenure. On January 17, the DEQ Pretreatment Compliance Inspection was accomplished. On January 17-19, Chao and Boteler tabled at the H&G Show with COSWA for Rain Barrel Promotion. On January 21, DoERS members had a demonstration of the Swift Comply sfotware for CCC and FOG. It is desired. On January 23, the food scrap collection program for Municipal Hall was begun. On January 24, Loudenback, Gates and Epperson attended the Quarterly State Pretreatment Coordinator meeting. On January 24, Loudenback and Chao attended the OWEA Awards luncheon where DoERS won the Environmental Sustainability award. On January 28, planning discussions for the workshop and installation of the LEAF Hugeljultur occurred. On January 29, Loudenback attended the DEQ WQS Stakeholder meeting for the triennial review of standards. On January 30, the AIM Stormwater Subcommittee meeting was accomplished.

**Upcoming Events:** 

2/8/2025 Curiosiday at Sam Noble

2/15/2025 Prairie Creek Cleanup and Maintenance

2/18/2025 Recycling presentation at Whittier

2/26/2025 Bug Collection in Dave Blue Creek

3/22/2025 World Water Day

3/23/25-5/18/25

Green Norman Ecobration

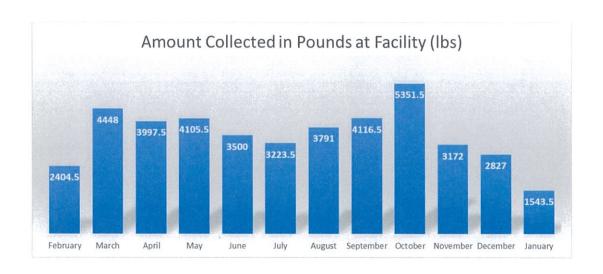
3/23/2025 Kick-off event at Eastwood

4/10/25-4/11/25

Artful Inlets installation 4/27/2025 Earth Day Festival

5/3/2025 E-waste Collection





# CITY OF NORMAN DEPARTMENT OF UTILITIES LINE MAINTENANCE DIVISION

## MONTHLY PROGRESS REPORT WATER MAINTENANCE

	FYE	2025	FYE 2024		
January 2025	MONTH	YTD	MONTH	YTD	
New Meter Sets:	39	273	11	200	
Number Short Sets	38	258	11	196	
Number Long Sets	1	15	0	4	
Average Meter Set Time	5.88	5.99	6.55	6.28	
Number of Work Orders:					
Service Calls	404	3,685	577	3,161	
Meter Resets	2	4	0	4	
Meter Removals	1	24	6	20	
Meter Changes	10	357	92	346	
Locates Completed	446	3,770	431	2,786	
Number of Water Main Breaks	· 21	116	15	97	
Average Time Water Off	2.00	1.58	2.23	1.69	
Number of Water Leaks	34	346	40	353	
Fire Hydrants:					
New	0	1	0	0	
Replaced	2	7	0	4	
Maintained	46	361	19	398	
Number of Valves Exercised	141	772	54	654	
Feet of Main Construction	0	0	0	500	
Hours of Main Construction	0	0	0	1,631	
Meter Changeovers	0	0	0	5	
OJI's	0	0	0	0	
Hours Flushing/Testing New Mains	5.17	89	0	134	
Hours Worked Outside of Division	0.00	0.00	0	0	

# CITY OF NORMAN DEPARTMENT OF UTILITIES LINE MAINTENANCE DIVISION

## MONTHLY PROGRESS REPORT SEWER MAINTENANCE

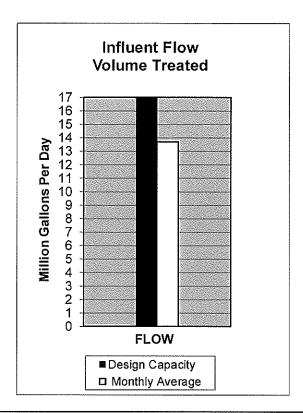
	FYE	2025	FYE 2024	
January 2025	MONTH	YTD	MONTH	YTD
Obstructions:				
City Responsibility	2	10	3	12
Property Owner Responsibility	29	127	22	134
TOTAL	31	137	25	146
Number of Feet of Sewer Cleaned:				
Cleaned	81,705	734,616	54,864	615,736
Rodded	3,088	20,446	2,925	19,770
Foamed	0	60,484	0	68,206
SL-RAT	0	2,825	0	0
TOTAL	84,793	818,371	57,789	703,712
Sewer Overflows:				
Rainwater	0	0	0	0
Grease/Paper/Roots	0	1	0	1
Obstruction	0	1	0	0
Private	1	1	1	8
Other (Lift Station, Line Break, etc.)	0	0	0	0
Total Overflows	1	3	1	9
Feet of Sewer Lines Televised	27,758	267,456	23,719	162,847
Locates Completed	235	1,902	297	2,161
Manholes:				
Inspected	971	8,440	842	7,948
New	0	0	0	0
Raised	0	16	2	9
Repaired	0	14	1	11
Feet of Sewer Lines Replaced/Repaired	8.00	15.00	0	46
Hours Worked at Lift Station	44.76	364.68	42	272
Hours Worked for Other Departments	0.98	40.78	0.75	27.24
OJI's	0	1	0	0
Square Feet of Concrete	0	0	0	0
Average Response Time (Minutes)	21.00	21.87	24.00	26.54
Number of Claims	0.00	0.00	1.00	2.00

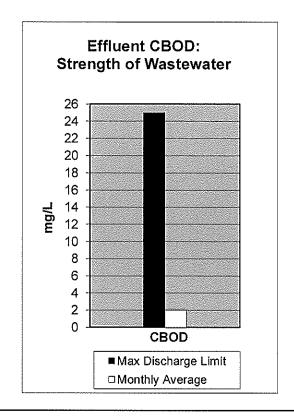
## City of Norman, Oklahoma Department of Utilities

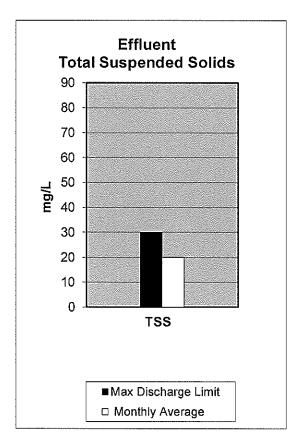
Monthly Progress Report Water Reclamation Facility January 1-31,2025 Flow Statistics

riow Stat	ISTICS				
		FYE 2025		FYE 2024	
		This Month	YTD	<u>This Month</u>	YTD
Total Influe	ent Flow (M.G.)	340.1	2350.1	372.5	2390.6
	ent Flow (M.G.)	327.2	2290.3	350.1	2219.8
	eak Flow (MGD)	12.1	25.0	15.8	28.3
	eak Flow (MGD)	11.7			
	, ,		24.2	15.4	27.7
	Influent Flow (MGD)	11.0	11.0	12.0	11.1
	Effluent Flow (MGD)	10.6	10.6	11.3	10.3
Precipitation	on (inches)	0.5	47.2	2.8	26.1
Discharge	Monitoring Report Stats	EPA min	imum perce	ntage removal 85%	
5 day BOD	);	Avg.	,	Avg.	
•	Influent Total (mg/l)	<b>1</b> 30		<b>1</b> 68	
	Effluent Carbonaceous Total	2.5		3	
	Percent Removal	98.1		98.2	
Total Sucr	pended Solids:	30.1		90.2	
Total Susp		400		000	
	Influent (mg/L)	192		226	
	Effluent (mg/L)	19.7		7	
	Percent Removal	89.7		96.9	
Dissolved					
	Influent (min)	0.5		0.7	
	Effluent (min)	7.1		6.5	
рH					
•	Influent (Low)	6.9		6.9	
	(High)	7.3		7.5	
	Effluent (Low)	6.7		7.0	
	(High)	7.0		7.4 7.4	
Ammonio		7.0		7.4	
Ammonia	=	25.0		00.7	
	Influent (mg/L)	35.6		26.7	
	Effluent (mg/L)	1.5		2.2	
	Percent Removal	95.8		91.8	
Utilities					
Electrical					
	Total kWh Used (Plant wide)	617,800	3,541,960	583,800	3,116,300
	Aeration Blowers,WSL&Headworks	130,000	905,300	137,300	
	UV Facility	57,000	546,400	50,600	453,800
Natural Ga		37,000	540,400	30,000	433,000
Matural Ga		770 000	0.740.000	505.000	4 000 000
Duklia Cal	Total cubic feet/day (plant wide)	776,000	2,746,000	505,000	1,828,000
	ication (Tours)	0	0	0	U
Total Atten	dees for FYE 24		141		148
OU Golf C	ourse (MG)	1.9	79.4	1.3	76.8
	metric mean average for January 2				
ಸಕ್ಕನ ಚಿ.ಆ್ ಮಾಡ್ನಿ	ಾಲ್ ಭಾರತ ಪ್ರದೇಶದ ಕಾರ್ವಿಕ್ ಸಾರ್ವಿಕ್ ಸಾರ್ವಿಕ್ ಸ್ಟ್ರಾಪ್ ಸ್ಟ್ರ್ಟ್ ಸ್ಟ್ರ್ಟ್ ಸ್ಟ್ರ್ಟ್ ಸ್ಟ್ರ್ಟ್ ಸ್ಟ್ಟ್ಟ್ ಸ್ಟ್ಟ್ಟ್ ಸ್ಟ್ಟ್ಟ್ ಸ್ಟ್ಟ್ಟ್ ಸ್ಟ್ಟ್ಟ್ ಸ್ಟ್ಟ್ಟ್ಟ	aaan maantamatatii tii	onen rein vatti titi Prilifi, k	erum e 🖊 ekkerbeligisek	

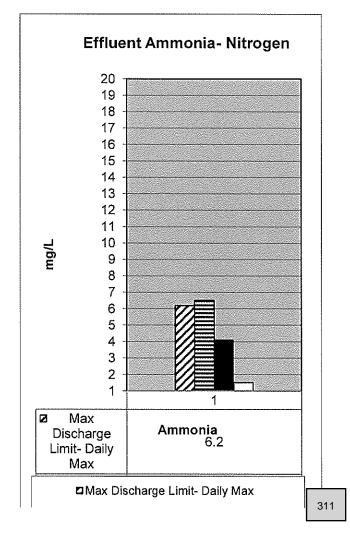
# CITY OF NORMAN WATER RECLAMATION FACILITY January 2025











MONTH: January-2025

## CITY OF NORMAN, OKLAHOMA DEPARTMENT OF UTILITIES

### **MONTHLY PROGRESS REPORT**

## **WATER TREATMENT DIVISION**

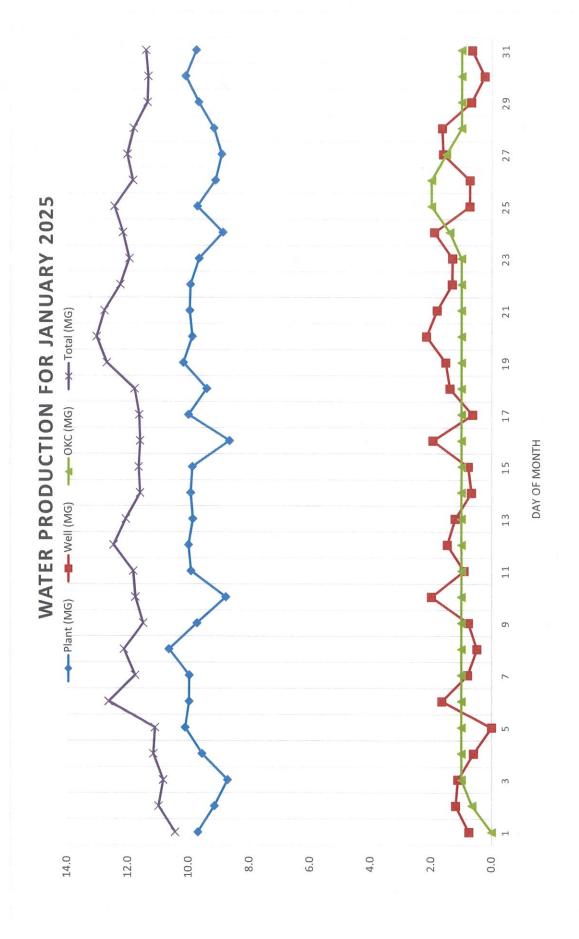
	FYE 2	025	FYE 2	2024
Water Supply	This month	Year to date	This month	Year to date
Plant Production (MG)	298.99	2531.53	183.30	2174.52
Well Production (MG)	34.63	642.49	178.29	976.51
Oklahoma City Water Used (MG)	32.53	210.79	30.98	214.13
Total Water Produced (MG)	366.15	3384.81	392.57	3365.16
Average Daily Production	11.81	15.74	12.66	15.65
Peak Day Demand				
Million Gallons	13.04	23.15	15.90	23.32
Date	1/20/2025	8/6/2024	1/16/2024	9/4/2023
System Capacity (see note 1)	30.34	30.34	25.78	25.78
Demand Above Capacity (Peak Day)	0.00	0.00	0.00	0.00
Note 1: 2024- system capacity updated to reflec	t actual firm capacity	from all sources		
Costs				
Plant	\$693,385.27	\$4,912,755.39	\$731,078.42	\$4,796,439.55
Wells	\$214,912.21	\$1,690,206.23	\$249,001.62	\$1,768,992.88
OKC	\$119,487.63	\$700,792.89	\$96,799.05	\$664,090.27
Total	\$1,027,785.11	\$7,303,754.51	\$1,076,879.09	\$7,229,522.70
Cost per Million Gallons				
Plant	\$2,319.10	\$1,940.62	\$3,988.49	\$2,205.75
Wells	\$6,205.78	\$2,630.70	\$1,396.62	\$1,811.54
OKC	\$3,673.72	\$3,324.68	\$3,124.57	\$3,101.34
Total	\$2,807.04	\$2,157.80	\$2,743.18	\$2,148.34
Water Quality				
Bacterial Samples in Compliance	100	701	100	708
Bacterial Samples out of Compliance	0	2	0	2
Total number of inquiries (Note 2)				
Total number of complaints (Note 2)	2 8	11 26	5 3	18 40
Number of complaints (Note 2)	•			
connections	0.19	0.61	0.07	0.97
Note 2: Prior to April 2016 complaints and inqui	ries were grouped to	gether, listed as comp	plaints, and not disting	quished.
Safety	<u> </u>	•		
Hours lost to OJI	0	0	0	0
Hours lost to TTD	0	0	0	0
Total Hours Lost	0	0	0	0
Safety Training Sessions Held	0	0	1	6
Public Education				
Number of tours conducted	3	13	1	9
Number of people on tours	39	163	1	137

### Notes:

IMCO, B&H Industrial, and Suez (Veolia) contacted for quotes for replacing gear boxes on SCC 1 and 2 OWRB took readings from HP3 and well 21 - well 21 leaking, tube replaced

Well 39 and 64 sensors replaced

MHS pump 3 - replaced damaged wire to disconnect, motor passed tests at W&W electric and staff scheduling date for Knighton rep to re-install



# MONTHLY TRANSFER STATION REPORT January 2025

	TONS PER MO	NTH	REVENUE PER MONTH
O.U.	29	92.34	\$16,624.43
STANDARD GATE	1,04	11.22	\$119,000.12
RESIDENTIAL	23	17.94	\$10,095.40
TOTALS:	1,55	51.50	\$145,719.95

WORLD AND THE AVERAGE THE TO OVER A AVERT	MONTH
# OF LOADS TRANSPORTED TO OKC LANDFILL	446.00
BY TRANSFER STATION TRUCKS.	
# OF TONS TRANSPORTED TO OKC LANDFILL	8290.26
BY TRANSFER STATION TRUCKS.	
# OF LOADS TRANSPORTED TO OKC LANDFILL	0.00
BY INDIVIDUAL SANITATION TRUCKS.	
WOD TONG TO ANODODTED TO CAKE A AND THE	
# OF TONS TRANSPORTED TO OKC LANDFILL	0.00
BY INDIVIDUAL SANITATION TRUCKS:	
TOTAL LOADS BROUGHT TO LANDFILLS:	446.00
GRAND TOTAL TONS TO LANDFILLS	8,290.26
DYODOGAY COCH DED TON (OV.C)	
DISPOSAL COST PER TON (OKC)	\$21.75
TIPPING FEE'S FOR DUMPING AT OKC:  GRAND TOTAL TIPPING FEE'S	\$180,313.16
GRAND TOTAL TIFFING FEE 5	\$180,313.16
# OF LOADS BROUGHT TO TRANSFER STATION	720.00
COMMERCIAL SANITATION TRUCKS:	
# OF TONS BROUGHT TO TRANSFER STATION	4305.73
COMMERCIAL SANITATION TRUCKS:	
# OF LOADS BROUGHT TO TRANSFER STATION	421.00
RESIDENTIAL SANITATION TRUCKS:	
# OF TONS BROUGHT TO TRANSFER STATION	260.12
RESIDENTIAL SANITATION TRUCKS:	
TOTAL LOADS BROUGHT TO TRANSFER STATION:	1141.00
TOTAL BOADS DICCOUNT TO TRANSPER STATION.	1141.00
TOTAL TONS BROUGHT TO TRANSFER STATION:	4565.85
MISCELLANEOUS TONS BROUGHT BY OTHER DEPTS.:	141.81
TOTAL TONS RECEIVED AT TRANSFER STATION	1183.03
TO THE TOTAL PROPERTY OF THE P	1

## SANITATION DIVISION PROGRESS REPORT

## SUMMARY 2025

FYE	24
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Vehicle Accidents

On The Job Injuries

Refuse Complaints

New Polycarts Requests

Additional Polycart Requests

**Replaced Damaged Polycarts** 

Replaced Stolen Polycarts

Polycarts Repaired

**Polycarts Exchanges** 

**Bulk Pickups** 

MONTH	YR-TO-DATE
0	17
0	3
38	137
94	403
40	346
9	75
90	387
20	136
62	664
25	284

FYE 25

MONTH	YR-TO-DATE
2	13
1	4
62	412
90	778
46	342
10	35
112	528
22	206
31	441
20	214

## **COMPOST MONTHLY REPORT**

## JANUARY 2025

M	ON	TF	ł
171	·	1 1	

TONS BROUGHT IN BY COMPOST CREWS:		210.35
LANDFILL TIPPING FEE'S		\$ 21.75
SAVINGS FROM NOT DUMPING AT LANDFILL:		\$ 4,575.11
TONS BROUGHT IN BY PUBLIC:		1,300.00
TONS BROUGHT IN BY CONTRACTORS:		2,000.00
TONS BROUGHT IN BY OTHER CITY DEPARTMENT	'S:	100.00
LANDFILL TIPPING FEE'S		\$ 21.75
SAVINGS FROM NOT DUMPING AT LANDFILL:		\$ 73,950.00
	Michigan Miles Indiana and Association and Ass	
TOTAL SAVINGS FROM NOT DUMPING AT LANDFID	LL:	\$ 78,525.11
-		
REVENUE COLLECTED FROM COMPOST SALES:		\$180.0
REVENUE COLLECTED FROM GATE SALES:		\$4,920.0
TOTAL TONS COLLECTED		3,610.35
	MULCH CUBIC YDS	COMPOST CUBIC YDS
	MONTH	MONTH
PARKS DEPT.		
ROAD & CHANNEL		
LINE MAINTENANCE		
STREET DEPT.		
WATER TREATMENT		
MURPHY PRODUCTS OKC		
SELF LOADING BIN		1
DRYING BEDS	2,200	
COMPOST SOLD BY CUBIC YARDS		5
MULCH SOLD BY CUBIC YARDS	10,000	
TOTAL:	12,200	6

## **CURBSIDE MONTHLY RECYCLING REPORT**

Jan-25

PROGRAM S	TATISTICS
	AVERAGE
	MONTH
SET OUT/PARTICIPATION RATE:	69%
AVERAGE TONS PER DAY :	9.21
POUNDS PER HOME:	16.36

COMMODITY BY TON		
	% of Total	TONS
ALUMINUM BEVERAGE CAN	2.10%	8.91
#1 PET	5.50%	23.33
NEWS	0.00%	0
GLASS CONTAINERS	5.72%	24.26
MIX PAPER	33.40%	141.67
PLASTIC FILM	0.57%	2.42
#2 NATURAL	0.90%	3.82
#2 COLOR	1.10%	4.67
#3-#7	0.00%	0
METAL	0.82%	3.48
RIGIDS	0.89%	3.78
TIN-STEEL SCRAP	3.30%	14
TRASH	28.30%	120.04
occ	17.40%	73.81
TOTAL	100.00%	424.19

	MONTH
SERVICE CALLS (MISSES)	25
HOUSESIDE	0
REMINDER	1
SCATTERED	0
MISC.	0
REPAIR	7
NEW	21
ADD	3
MISSING	10
EXCHANGE	1
REPLACE	2
PICK UP	15
TOTAL CALLS	85.00

	MONTH
LANDFILL COST AVOIDANCE	\$8,377.75

		Drop Ce	Drop Center Report January 2025	January 2	.025				
MONTHLY UNIT PRICES	Revenue per ton	Proc. Fee	LBs Rejected	Tons Rejected	%	LNDFL Fee	Tons Diverted	\$ Diverted	
ALUMINUM:	\$1,250.00	\$0.00	0	0	%0	\$21.75	241.61	\$5,255.02	
PLASTICS:	\$76.00	\$0.00							
STEEL CANS:	\$0.00	\$0.00							
MIXED OFFICE PAPER:	\$25.00	\$0.00							
CARDBOARD:	\$70.00	\$0.00	··········						
RECYCLING CENTER DATA:	6#	Westwood	Hollywood	Transfer					
	TONS	TONS	Tons	Tons	Total Tons	PRO/FEE	Revenues	Net	
ALUMINUM:	0.15		0.05		0.2	\$0.00	\$250.00	\$250.00	
PLASTICS:	6.02		0.39		6.41	\$0.00	\$487.16	\$487.16	
STEEL CANS:	0.15		0.05		0.2	\$0.00		\$0.00	
MIXED OFFICE PAPER:	4.06	1.64	4.65	0.42	10.77	\$0.00	2\$	\$269.25	
CARDBOARD:	22.4	14.15	34.3	2.35	73.2	\$0.00	\$5,124.00	\$5,124.00	
RECYCLING CENTER TOTALS:	32.78	15.79	39.44	2.77	90.78	00.0\$	\$6,130.41	\$6,130.41	
Commercial Cardboard Containers		Compactors		Wood		Glass		Metal	
TONS	Revenues	SNOT	Revenues	TONS	Revenues	TONS	Revenues	TONS	Revenues
26.5	\$1,855.00	14.46	\$1,012.20	0	\$0.00	30.6	\$0.00	0	\$0.00
				1				Cost	\$0.00
Single Stream	\$65.00		7.71	\$501.15				Profit	\$0.00
Expenses	Average hrly+ benefits	its	\$26.78						
	Cage Rolloff	Cardboard	Occ Compact	MXD Office	Total				
Hours	28	195	10	38	271				
Labor \$	\$749.84	\$5,222.10	\$267.80	\$1,017.64	\$7,257.38		Customer Revenue	ine	
Vehicle cost	\$498.96	\$372.69	\$178.20	\$677.16	\$1,727.01		\$12,377.80		
-	-			-		= ( - - -	Γ		
lotal All Recycle and Cardboard			Total Recycle Only			lotal Cardboard		_	
Tons	Revenues		Tons	Revenues		Tons	Revenues		
162.34	\$8,997.61		55.89	\$1,507.56		114.16	\$7,991.20		
Revenue	Income	Expense	Net	_					
Revenue	Income	expense	Net						

12,391.02

\$8,984.39

\$21,375.41

## File Attachments for Item:

6. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FP-2425-5 FINAL PLAT FOR LIAM'S CORNER, A REPLAT OF LOT 1, BLOCK 5, PART OF LOT 2, BLOCK 5 AND PART OF BLOCK 6, LYDICK'S FIRST ADDITION (LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST LINDSEY STREET AND SOUTH BERRY ROAD).



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE: 2/25/25** 

**REQUESTER:** Ken Danner, Subdivision Development Manager

**PRESENTER:** Scott Sturtz, Director of Public Works

ITEM TITLE: CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL,

REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FP-2425-5 FINAL PLAT FOR LIAM'S CORNER, A REPLAT OF LOT 1, BLOCK 5, PART OF LOT 2, BLOCK 5 AND PART OF BLOCK 6, LYDICK'S FIRST ADDITION (LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST LINDSEY STREET AND SOUTH BERRY

ROAD).

## **BACKGROUND:**

This item is a final plat for Liam's Corner, a Replat of Lot 1, Block 5, Part of Lot 2, Block 5 and Part of Block 6 located at the northwest corner of West Lindsey Street and South Berry Road.

City Council, at its meeting of October 21, 1961, adopted Ordinance No. 933 annexing this property into the Corporate City Limits and placing a portion of it in the C-2, General Commercial District. City Council, at its meeting of April 14, 1987, adopted Ordinance No. O-8687-36 placing the remainder of this property in C-1, Local Commercial District. The owners are replatting to create one lot on .88 acres to construct a new retail development.

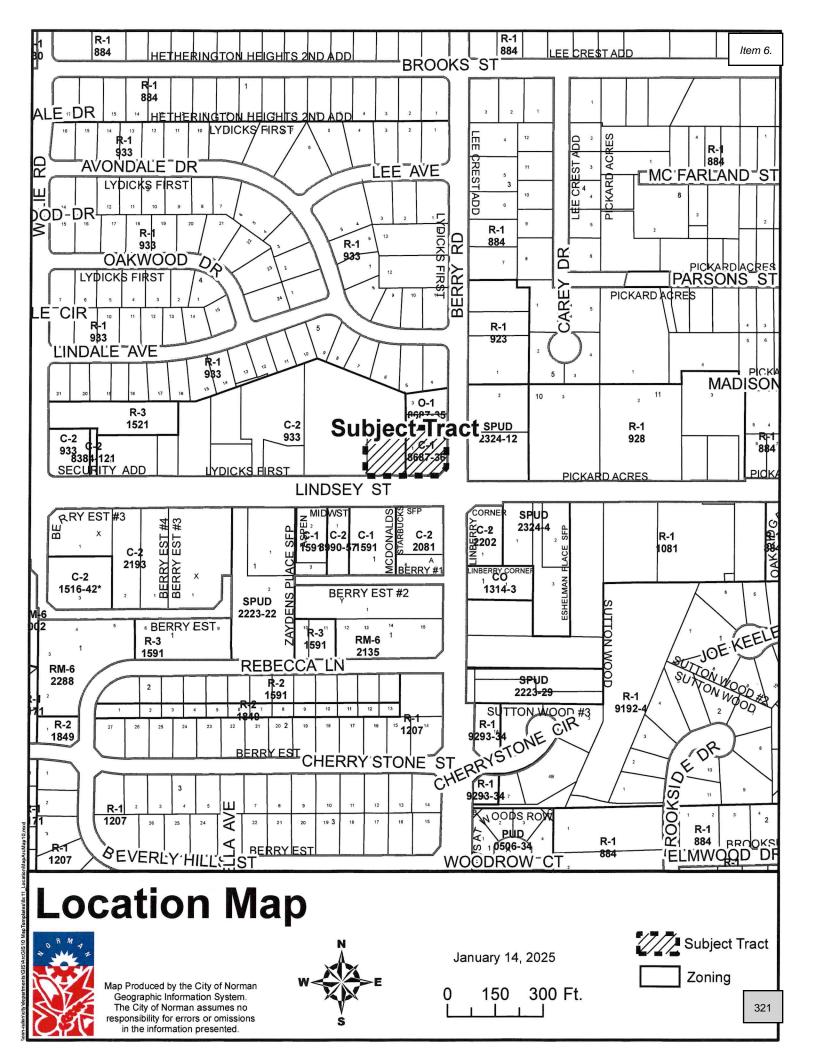
The Norman Development Committee, on February 10, 2025, reviewed and approved the site plan and final plat for Liam's Corner, a Replat of Lot 1, Block 5, Part of Lot 2, Block 5 and Part of Block 6, Lydick's First Addition and recommended submittal to City Council for consideration.

## **DISCUSSION:**

The owner has requested City Council approve the site plan and final plat of Liam's Corner, a Replat of Lot 1, Block 5, Part of Lot 2, Block 5 and Part of Block 6, Lydick's First Addition

## RECOMMENDATION:

Based upon the above information, staff recommends approval of the final plat and the filing of the final plat Liam's Corner, a Replat of Lot 1, Block 5, Part of Lot 2, Block 5 and Part of Block 6, Lydick's First Addition and authorize the Mayor to sign the final plat.

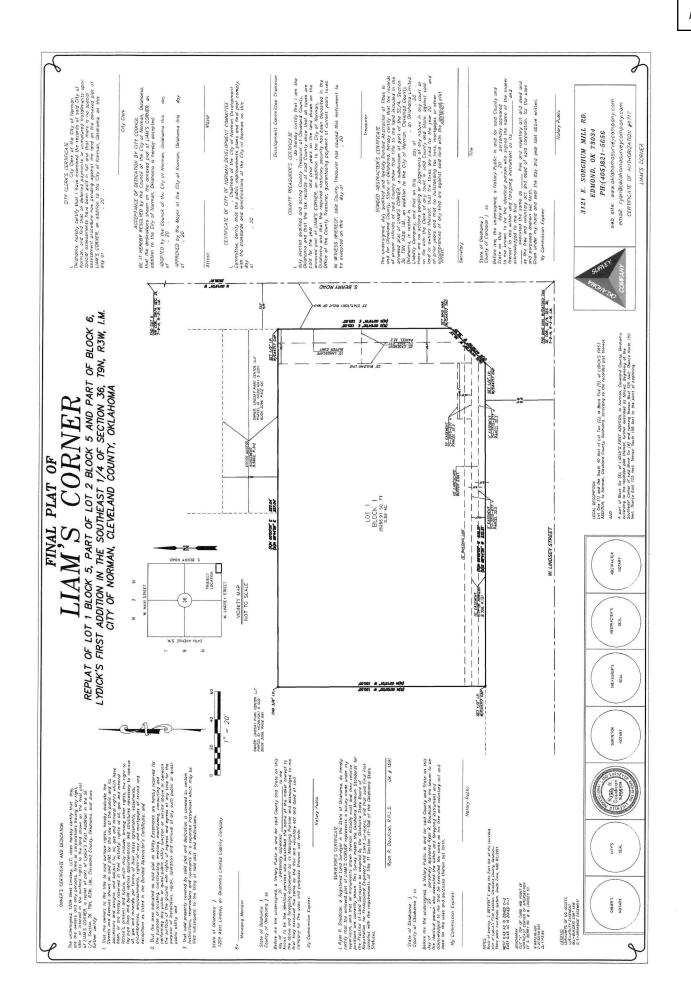


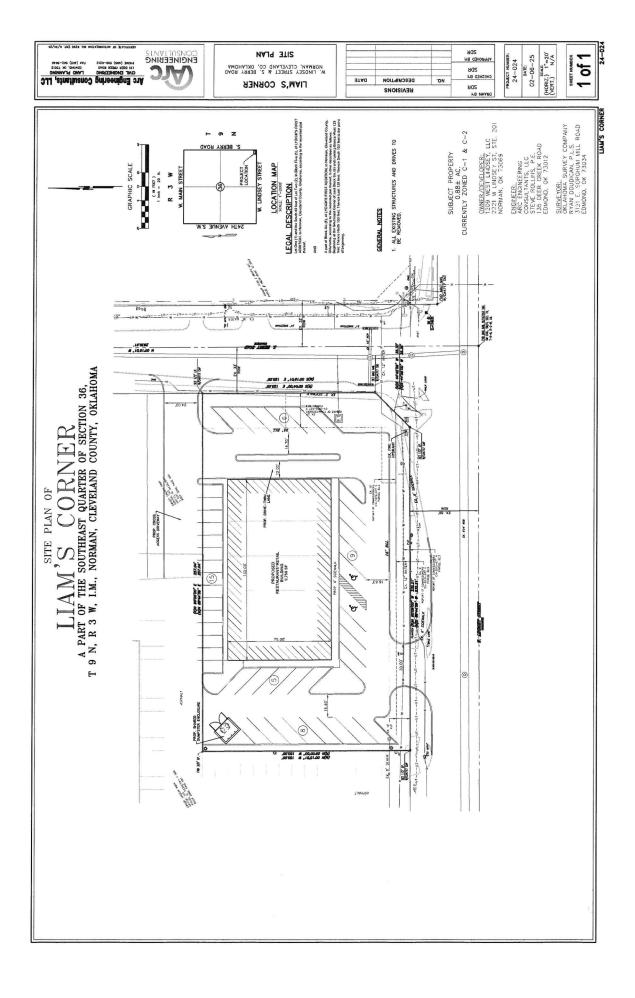
APPLICATION FOR DEVELOPMENT COMMITTEE **ACTION** 

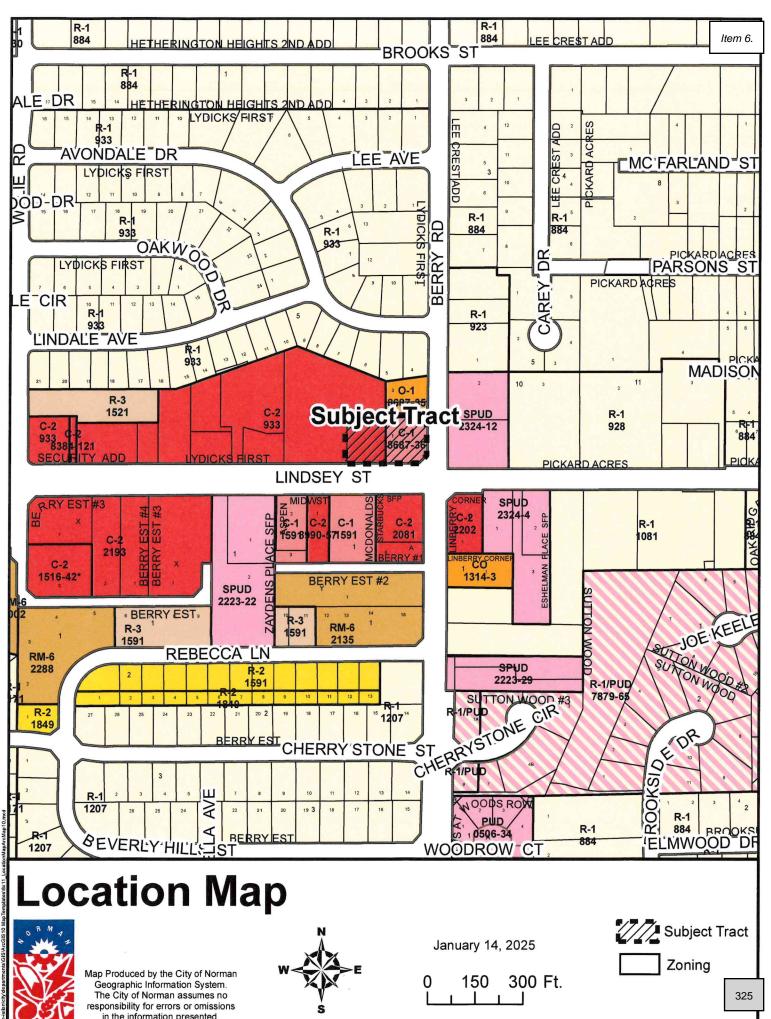
Date:	01-14-2025	
		_

Part	1:	Го	be	Compl	eted by	y Ap	plicant:

en .c.			
1.	. Applicant(s): 1209 W Lindsey, LLC		*
	Signature of Applicant(s):		
	- Y		
	<u> </u>		
	Telephone Number and Address:		-
	(405) 509-0212		
	2221 W. Lindsey St, Su 201 Norman, OK 73069		_
2.	Project Name and Legal Description:		
	Liam's Corner A part of the Southeast Quarter of Section 36, T-9-N, R-3-V	/ IM	
	A part of the Southeast Quarter of Section 50, 1-5-14, 18-5-4	, 1.1v1.	
3.			
	Request to approve the final plat and submit to City Council	for consideration.	
Dor	ort II. To Pa Completed by Davelenment Committee		
Гаі	art II: To Be Completed by Development Committee:		
De	evelopment Committee Met on:		
De	evelopment Committee Findings:		
	The owner has requested the Development C	ommittee approve the site	plan and
	final plat and submit to City Council for		
,			
De	evelopment Committee Recommendations:		
	Recommend approval of the site plan and	final plat for Liam's Addi	tion.
	Yes No	of Acceptance:	No
		< 11 0	
<u>C</u>	a dur	2 th	Ш
Dir	irector of Public Works Director of	Planning	
	CUVE DE CO		
Dir	irector of Utilities Planning S	ervices Manager	
	In the A - Ka	James 💆	
City	ity Engineer Subdivision	Development Manager	







in the information presented.

# **DEVELOPMENT COMMITTEE**

FINAL PLAT FP-2425-5

DATE:

February 10, 2025

# **STAFF REPORT**

ITEM: Consideration of a Final Plat for <u>LIAM'S CORNER (A REPLAT OF LOT 1, B;OCK 5, PART OF LOT 2, BLOCK 5 AND PART OF BLOCK 6, LYDICK'S FIRST ADDITION).</u>

**LOCATION:** Located at the northwest corner of West Lindsey Street and South Berry Road.

# **INFORMATION:**

- 1. Owner. 1209 West Lindsey, LLC.
- 2. Developer. 1209 West Lindsey, LLC.
- 3. <u>Surveyor</u>. Oklahoma Survey Company
- 3. <u>Engineer</u>. Arc Engineering Consultants.

# **HISTORY:**

- 1. October 21, 1961. City Council adopted Ordinance No. 933 annexing this property into the Corporate City limits and placing this property in the C-2 General Commercial District and R-1, Single-Family Dwelling District.
- 2. <u>March 12, 1987</u>. Planning Commission, on a vote of 5-0, recommended to City Council that a portion of this property be placed in the C-1, Local Commercial District and removed from R-1, Single-Family Dwelling District.
- 4. March 12, 1987. Planning Commission, on a vote of 5-0, approved the preliminary plat of a Replat for parts of Blocks 5 and 6, Lydick's First Addition
- 5. <u>April 14, 1987</u>. City Council adopted Ordinance No. O-8687-36 placing a portion of this property in the C-I, Local Commercial District and removing it from R-1, Single-Family Dwelling District.

#### **IMPROVEMENT PROGRAM:**

- 1. <u>Fire Hydrants</u>. There are existing fire hydrants to serve the property.
- 2. <u>Permanent Markers</u>. Permanent markers will be installed prior to filing of the final plat.
- 3. <u>Sanitary Sewers</u>. There is an existing sanitary sewer main to serve the property.
- 4. Sidewalks are existing.
- 5. <u>Drainage</u>. The use of LID's and BMP's will be utilized before being conveyed to an existing underground drainage system.
- 6. Streets. Street paving is existing.
- 7. Water Mains. Water mains are existing.

#### **PUBLIC DEDICATIONS:**

- 1. <u>Easements</u>. All required easements are dedicated to the City on the final plat.
- 2. Rights-of-Way. Rights-of-way are existing.
- **SUPPLEMENTAL MATERIAL:** Copies of a location map, site plan and final plat are attached.
- **ACTION NEEDED:** The engineer for the owner/developer has requested the Development Committee approve the site plan and final plat and submit the site plan and final plat to City Council for consideration.

The property consist of .88 acres and one (1) lot.

The developer will construct a new retail structure on the property.

# File Attachments for Item:

7. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-97: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE SANBORN MAP COMPANY, INC., IN AN AMOUNT NOT-TO-EXCEED \$142,550.20 TO PROVIDE DIGITAL ORTHOPHOTOGRAPHY, TOPOGRAPHIC MAPPING, AND PLANIMETRIC MAPPING FOR THE GEOGRAPHIC INFORMATION SYSTEMS DIVISION.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/28/2023

**REQUESTER:** Joyce Green

**PRESENTER:** Joyce Green, GIS Services Manager

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF CONTRACT K-2425-97: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE SANBORN MAP COMPANY, INC., IN AN AMOUNT NOT-TO-EXCEED \$142,550.20 TO PROVIDE DIGITAL ORTHOPHOTOGRAPHY, TOPOGRAPHIC MAPPING, AND PLANIMETRIC MAPPING FOR THE GEOGRAPHIC INFORMATION SYSTEMS

DIVISION.

BACKGROUND: This project is a joint effort of several regional governments coordinated by the Association of Central Oklahoma Governments (ACOG) to develop an aerial photography base map for central Oklahoma and enable the participating governments to acquire additional mapping products they require to conduct their daily business. By combining our purchasing power, the participating governments will receive better pricing for the project as it is more cost effective for mapping contractors to collect aerial photography for large areas. In addition to the City of Norman, the participating governments include: City of Edmond, City of Oklahoma City, and ACOG. These agencies will be referred to as the Central Oklahoma Alliance of Government Agencies 2025 (COAGA 2025). This is the 13th time ACOG has coordinated an update to the regional base map and the sixth time the City of Norman has participated in the effort. Norman last updated its orthophoto, planimetric, and topographic base maps with the COAGA project in 2023. The maintenance cycle of these databases is scheduled for every two years.

For Norman, this project will update the City's base map to reflect new construction and any other changes on the ground that can be detected using airborne sensors. The deliverable products are updated color digital aerial photography and updated planimetric mapping. Planimetric mapping layers to be collected include the following: streets, pavement, unpaved parking, paved driveways, unpaved driveways, existing train tracks, hydrology, building footprints and height, fences, sidewalks, and contours.

<u>DISCUSSION:</u> Request for Proposals RFP-2025-1 by COAGA 2025 for Regional Digital Ortho Images and Associated Data was released by ACOG on November 22, 2024. Three companies responded by the extended due date of January 6, 2025: The Sanborn Map Company, Inc. (Sanborn) of Colorado Springs, Colorado; Digital Mapping, Inc. (DMI) of Huntington Beach, California; and Surveying and Mapping, LLC (SAM) of Purcell, Oklahoma.

The members of COAGA 2025 reviewed the proposals and found Sanborn's proposal best met the requirements of the project. This will be the sixth time Sanborn will have completed The City of Norman's map update. The City of Norman's portion of the project will be \$142,550.20 and it will add about 800 gigabytes of data to the City's computer system.

The proposal and the COAGA Request for Proposal 2025-1 are available for on-line review.

**RECOMMENDATION:** Staff recommends that City Council approve Contract K-2425-97, an agreement for services with the Sanborn Map Company, Inc. based on COAGA Request for Proposals 2025-1 for aerial photography, digital orthophotography, planimetric mapping and topographic mapping not to exceed the amount of \$142,550.20 payable to The Sanborn Map Company, Incorporated, and authorize approval of the contract covering services in the amount of \$142,550.20. Funds for the project are available in Miscellaneous Geographic Information Systems Projects, Design (Account 50495533-46201, Project BG0074).



#### SERVICES AGREEMENT

This Services Agreement (this "Agreement") is entered into as of the 25<sup>th</sup> day of February, 2025 ("Effective Date") by and between The Sanborn Map Company, Inc., a Delaware corporation ("Sanborn"), and the City of Norman, Oklahoma (the "CLIENT"). There are no third parties to this Agreement nor any third party rights or benefits either expressed or implied.

#### RECITALS

Sanborn is in the business of creating specialized geographic information solutions products and services.

CLIENT wishes to enter into this Agreement with Sanborn in order to secure products and services from Sanborn.

CLIENT and Sanborn acknowledge the Agreement consists of the following, which are listed in their order of priority in the event of inconsistent or contradictory provisions:

- 1. This Agreement
- 2. Sanborn's Technical Proposals and Fee Proposals dated January 6, 2025 Offshore Option for City of Norman, Oklahoma (Exhibit A) and Exhibit B Compensation
- Association of Central Oklahoma Governments (ACOG) RFP # 2025-01 for The Central Oklahoma Alliance of Government Agencies 2025 (COAGA 2025) Regional Digital Orthophoto Images and Associated Data dated January 6, 2025 and COAGA 2025 Proposal Follow-Up email dated February 5, 2025 (Exhibit C)

NOW, THEREFORE, CLIENT and Sanborn mutually agree as follows:

#### Article 1 Services.

1.1 Sanborn agrees to perform those services for CLIENT that are specified in Exhibit A (the "Services") and shall deliver to CLIENT those deliverables specified in Exhibit A (the "Deliverables"). Additional Services and Deliverables shall be defined by CLIENT as

Purchase Orders from time to time as its needs dictate. The additional Purchase Orders shall contain, at a minimum: (i) any flow down provisions from another buyer authorized to make purchases under this Agreement, if applicable, (ii) specifications, (iii) list of deliverable items and shipment instructions, (iv) acceptance criteria, and (v) schedule of deliverables. Sanborn shall respond to such Purchase Order request(s) with a price quotation. This Agreement and any Purchase Orders issued hereunder must be signed by authorized representatives of each party with the authority to bind their respective organizations. Execution of this Agreement, or a Purchase Order issued hereunder, by both parties shall constitute a notice to proceed with the Services.

- Agreement in a professional and business-like manner and in accordance with the standards and practices recognized in the industry. Sanborn shall not be restricted in its use of subcontractors and suppliers (including, but not limited to, any socio-economically disadvantaged companies as defined in the U.S. System for Award Management (SAM) and/or the Small Business Administration (SBA); and any of Sanborn's qualified acquisition subcontractors) as Sanborn, in its sole discretion determines are necessary to meet its obligations under this Agreement or any Purchase Order issued hereunder. However, Sanborn shall obtain CLIENT's prior written approval for any subcontractors that it intends to utilize that are not already identified in Sanborn's Proposal, this Agreement, or any Purchase Order issued hereunder; such approval which shall not be unreasonably withheld.
- Agreement or any Purchase Order issued hereunder for any delay or default in performing if such delay or default is caused by events of Force Majeure. Force Majeure shall mean any events or actions beyond the reasonable control of either CLIENT or Sanborn preventing or delaying the execution of or compliance with any of the terms and conditions contained in this Agreement or any Purchase Order issued hereunder including but not limited to strikes, lockouts, labor shortages, actions or inactions of independent subcontractors and suppliers, power shortages, wars, acts of God, and governmental regulations, including the restrictions imposed by air traffic control personnel with authority over airspace required for flight operations, restricting normal operations, weather or atmospheric conditions that are not conducive for the collection of aerial imagery or terrain data in a manner that is necessary to meet or exceed the requirements of any Deliverable and inability of CLIENT to provide any specified Sources in a timely manner. Sources shall mean all information and/or materials as may be defined in this Agreement or any Purchase Order issued hereunder required to be provided by CLIENT to Sanborn for the performance of the Services.
- 1.4 Sanborn shall be the sole and exclusive owner of all right, title and interest in and to the work materials and Deliverables until such time as Sanborn has received full and final payment of all outstanding invoices with respect to the performance of the Services and delivery of the Deliverables hereunder. At such time as payment in full has been rendered to Sanborn, CLIENT shall have such rights, title, and interest in and to the Deliverables.
- 1.5 To the extent that the work materials and Deliverables are considered public domain information, Sanborn shall enjoy all rights to utilize the work materials and/or Deliverables in its business practices, without restriction. To the extent that the work materials and Deliverables are not considered public domain information, CLIENT hereby grants to Sanborn a limited, non-exclusive, nontransferable, royalty-free, worldwide, perpetual license to copy, use, create

derivative works of, use derivative works of, and distribute copies of the derivative works of, same unless specified otherwise in this Agreement or any Purchase Order(s) issued hereunder. Any Products that are purchased through this Agreement or any Purchase Order issued hereunder that are the property of a third party shall be subject to the owner's license agreements.

- 1.6 The parties mutually agree that the database design(s) for CLIENT shall be as contained in the specifications in Exhibit A, and each Purchase Order issued hereunder.
- 1.7 The parties mutually agree that the standards for quality validation of the Deliverables shall be as contained in the acceptance criteria of Exhibit A, and each Purchase Order issued hereunder. CLIENT shall be responsible for evaluating and determining the adherence of the Deliverables to the acceptance criteria or calculating error rates for the Deliverable units under this Agreement or any Purchase Order issued hereunder within thirty (30) days of receipt. To the extent that CLIENT assigns or contracts some or all of this responsibility to any third party ("Agent") such assignment or contracting of the responsibility shall not relieve CLIENT of responsibility and liability for all acts and omissions which may constitute CLIENT's default or breach of this Agreement.
  - 1.8 CLIENT's point of contact for Sanborn shall be:

Joyce J. Green
Manager of GIS Services Division
Planning and Community Development Department
City of Norman
225 N Webster Avenue
Norman, OK 73069
(405) 366-5467
joyce.green@normanok.gov

Sanborn's point of contact for CLIENT shall be:

Name: Seth Adams
Title: Program Manager
The Sanborn Map Company, Inc.
1935 Jamboree Drive, Suite 100
Colorado Springs, CO 80920-5358
(972) 839-8640
sadams@sanborn.com

Article 2 Compensation. CLIENT shall pay Sanborn for the Deliverables and performance of the Services in accordance with the terms specified in <a href="Exhibit B">Exhibit B</a>. CLIENT is tax exempt and shall issue a tax exempt certificate to Sanborn upon execution of this Agreement.

# **Article 3** Independent Contractor Status.

3.1 Sanborn is an independent contractor and no employees, associates or agents of Sanborn shall be deemed to be an employee, associate or agent of CLIENT, or vice-versa.

CLIENT and Sanborn are not and shall not be considered as employer/employee, joint adventurers, partners, or one as agent of the other under this Agreement, and neither shall have power to bind or obligate the other.

# **Article 4** Term and Termination.

- 4.1 This Agreement shall remain in effect from the date contained herein until terminated by either party by giving thirty (30) days' written notice to the other party. Upon the date so specified, Sanborn shall immediately terminate all activities on behalf of CLIENT. Notwithstanding any such termination, CLIENT shall in no event be released from its obligation to pay Sanborn for all Services performed and those in process at the time of such termination, and Deliverables delivered prior to such termination.
  - 4.2 The provisions of Articles 1-6 shall survive any termination of this Agreement.

#### Article 5 Indemnification

- 5.1 By CLIENT. To the extent permitted by applicable law, CLIENT agrees to indemnify, defend and hold harmless Sanborn and Sanborn's directors, officers, shareholders, employees, agents and affiliates from and against any and all third party actions, claims, liabilities, damages, losses and expenses, including reasonable attorneys' fees and costs (collectively, "Claims") arising out of or related to the acts, errors or omissions of CLIENT or any of CLIENT's officers, directors, employees, Agents or affiliates in connection with the performance of its obligations under this Agreement.
- 5.2 <u>By Sanborn</u>. Sanborn agrees to indemnify, defend and hold harmless CLIENT and CLIENT's directors, officers, shareholders, employees, agents and affiliates from and against any and all Claims arising out of or related to the acts, errors or omissions of Sanborn or any of Sanborn's officers, directors, employees, agents or affiliates in connection with the performance of its obligations under this Agreement.
- 5.3 <u>Conditions of Indemnification of Third Party Claims</u>. The obligations and liabilities of the parties hereunder with respect to Claims resulting from the assertion of liability by third parties shall be subject to the following terms and conditions:
- (a) In the event that any claim or demand for which one party would be liable to the other hereunder (the "Indemnified Party" and the "Indemnifying Party" as applicable), is asserted against or sought to be collected by a third party, the Indemnified Party shall promptly notify the Indemnifying Party of such claim or demand, specifying the nature of such claim or demand and the amount or the estimated amount thereof (which estimate shall not be conclusive of the final amount of such claim or demand) (the "Claim Notice"). The Indemnifying Party shall have ten (10) days from its receipt of the Claim Notice (the "Notice Period") to notify the Indemnified Party (1) whether or not the Indemnifying Party disputes its liability to the Indemnified Party hereunder with respect to such claim or demand, and (2) if it does not dispute such liability, whether or not it desires, at its sole cost and expense, to defend the Indemnified Party against such claim or demand; provided, however, that the Indemnified Party is hereby authorized prior to and during the Notice Period to file any motion, answer or other pleading that it shall deem necessary or appropriate to protect its interests. In the event that the Indemnifying

Party notifies the Indemnified Party within the Notice Period that Indemnifying Party desires to defend against such claim or demand, then except as hereinafter provided, the Indemnifying Party shall have the right to defend the Indemnified Party by appropriate proceedings, which proceedings shall be promptly settled or prosecuted to a final conclusion in such a manner as to avoid any risk of an Indemnified Party becoming subject to liability for any other matter. If, in the reasonable opinion of an Indemnified Party, any such claim or demand involves an issue or matter that could have a material adverse effect on the business, operations, assets, properties or prospects of an Indemnified Party or an affiliate of an Indemnified Party, such Indemnified Party shall have the right to control the defense or settlement of any such claim or demand, and its reasonable costs and expenses thereof shall be included as part of the indemnification obligations of the Indemnifying Party hereunder. If the Indemnifying Party disputes its liability with respect to such claim or demand or elects not to defend against such claim or demand, whether by not giving timely notice as provided above or otherwise, then the amount of any such claim or demand, or, if the same be contested by the Indemnifying Party or by an Indemnified Party (but the Indemnified Party shall not have any obligation to contest any such claim or demand), then that portion thereof as to which such defense is unsuccessful, shall be presumptively deemed to be a liability of the Indemnifying Party hereunder (subject, if the Indemnifying Party has timely disputed liability, to a determination that the disputed liability is covered by these indemnification provisions).

- (b) In the event that an Indemnified Party should have a claim against an Indemnifying Party hereunder that does not involve a claim or demand being asserted against or sought to be collected from it by a third party, the Indemnified Party shall promptly send a Claim Notice with respect to such claim to the Indemnifying Party; provided, that the failure to so notify shall not limit the Indemnified Party's right to indemnification unless such failure materially adversely affects the ability of the Indemnifying Party to defend such claim and then only to such extent. If the Indemnifying Party does not notify the Indemnified Party within the Notice Period that it disputes such claim, the amount of such claim shall be presumptively deemed a liability of the Indemnifying Party hereunder.
- 5.4 Participation; Cooperation. The Indemnified Party will at all times also have the right to participate fully in the defense at its own expense unless the third party Claim is made both against an Indemnifying Party and an Indemnified Party and the Indemnified Party has been advised by counsel that there are legal defenses available to such Indemnified Party that are materially different from those available to the Indemnifying Party, in which case the fees and expenses of one counsel in respect of such claim incurred by the Indemnified Party will be paid by Indemnifying Party. The parties will cooperate in the defense of all third-party Claims that may give rise to indemnifiable Claims hereunder. In connection with the defense of any claim, each party will make available to the party controlling such defense, any books, records or other documents within its control that are reasonably requested in the course of such defense.
- 5.5 <u>Limitation on Damages</u>. Notwithstanding any other provision of this Agreement, neither party will be liable to the other for any punitive, indirect, special, consequential or incidental damages whatsoever. Sanborn's maximum aggregate liability to CLIENT shall be limited to the aggregate dollar value of fees paid to Sanborn by CLIENT pursuant to the terms hereof. EXCEPT FOR THE EXPRESS WARRANTIES MADE OR REFERENCED IN THIS AGREEMENT, NEITHER PARTY MAKES ANY WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF

MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE AS TO ANY ITEMS OR SERVICES PROVIDED UNDER THIS AGREEMENT.

#### Article 6 Miscellaneous.

- 6.1 This Agreement is made in the State of Oklahoma, and shall for all purposes be construed in accordance with the laws of said State, without reference to choice of law provisions.
- 6.2 This Agreement is performable in, and venue of any action related or pertaining to this Agreement shall lie in Norman, Oklahoma.
- 6.3 This Agreement and its Exhibits contains the entire agreement between CLIENT and Sanborn and supersedes any and all previous agreements, written or oral, between the parties relating to the subject matter hereof. No amendment or modification of the terms of this Agreement shall be binding upon the parties unless reduced to writing and signed by both parties as described in sections 6.9 and 6.10.
- 6.4 This Agreement may be executed in counterparts, each of which shall be deemed an original.
- 6.5 In the event any provision of this Agreement is held illegal or invalid, the remaining provisions of this Agreement shall not be affected thereby.
- 6.6 The waiver of a breach of any provision of this Agreement by either party or the failure of either party otherwise to insist upon strict performance of any provision hereof shall not constitute a waiver of any subsequent breach or of any subsequent failure to perform.
- 6.7 Notice required under this Agreement shall be in writing and either personally delivered; sent by certified mail, return receipt requested; sent by common courier (i.e., UPS, FedEx), with proof of delivery; or sent electronically (i.e., Facsimile, Email), with delivery/read receipt/confirmation, to CLIENT at its principal executive offices in section 1.8 or to Sanborn, Attention: Corporate Contracts at the last address filed by it in writing with CLIENT.
- 6.8 This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, representatives and successors. This Agreement may be assigned by Sanborn or CLIENT to any successor upon written consent of the party not seeking to assign the Contract.
- 6.9 This Agreement may only be modified through written amendment or Change Request Form as described in section 6.10, and signed by authorized representatives of the parties.
- 6.10 The Exhibits to this Agreement and any Purchase Order(s) issued hereunder may only be modified through the Change Request process which requires that any change to the specifications, deliverables, acceptance criteria, delivery schedule, fees or invoicing and payment terms be clearly quantified and reduced to writing utilizing a Change Request Form, and signed by authorized representatives of the parties.
- 6.11 All claims, disputes, and other matters in question between the parties arising out of or relating to this Agreement or the breach thereof, shall be formally discussed and negotiated

Services Agreement; COAGA 2025

between the parties for resolution. In the event that the parties are unable to resolve the claims, disputes, or other matters in question within thirty (30) days of written notification from the aggrieved party to the other party, the aggrieved party shall be free to pursue all remedies available at law or in equity.

- 6.12 The parties acknowledge that certain equipment, products, software and technical information provided pursuant to this Agreement may be subject to United States export laws and regulations and agrees that any use or transfer of such items must be authorized by the appropriate United States government agency. The parties shall not directly or indirectly use, distribute, transfer or transmit any item and/or information (even if incorporated into other equipment, products, software or technical information) except in compliance with United States export laws and regulations.
- 6.13 Sanborn may propose technology enhancement of Deliverables being provided under this Agreement or any Purchase Order(s) issued hereunder whenever newer technology becomes available that may save money, improve performance, or improve adherence to specifications. All proposed upgrades must meet the following requirements: (i) all mandatory requirements of this Agreement and any Purchase Order(s) must continue to be met, (ii) the proposed upgrade or enhancement will result in at least equal operability, maintainability, reliability, and overall performance while providing some additional benefit or advantage to CLIENT, (iii) the change will be mutually negotiated between the parties, (iv) as a minimum, the following information must be submitted by Sanborn with each such proposal: (a) a description of the difference between the existing Agreement and/or Purchase Order requirement and the proposed change along with the comparative advantages and disadvantages of each, (b) suggested Agreement and/or Purchase Order requirements which should be changed if the proposed technology enhancement is adopted, (c) a complete pricing proposal that evidences the commerciality of the pricing (the price for the upgraded product/service or configuration can be no greater than the standard commercial price of the replacement product/service), (v) an evaluation of the proposed change's effect on collateral costs, costs of related items, and costs of maintenance and operation, as applicable, (vi) timing as to when the modification adopting the technology enhancement must be issued to ensure the maximum benefit to CLIENT, and (vii) identify any effect on the Agreement and/or Purchase Order completion or delivery schedule.

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IN WITNESS WHEREOF, this Agreement is executed as of the Effective Date.

THE SANBORN MAP COMPANY, INC. By: John Copple Name: John R. Copple Title: President/CEO Name: Rick Ninmer Title: VP of Administration/ Secretary CITY OF NORMAN, OKLAHOMA By: \_\_\_ Name: Larry Heikkila Title: Mayor Attest: Name: Brenda Hall Title: City Clerk Approved as to from and legality this day of Fcb/vAy, 2025



# **EXHIBIT A**

# Services and Deliverables

All Items from Sanborn's Technical Proposal and Fee Proposal dated January 6, 2025, Offshore Option, for the City of Norman, Oklahoma, including:

- 1. Digital Color Orthoimagery (92 miles @ 3" and 164 square miles @ 6")
- 2. MrSID and JP2000 Mosaics
- 3. Planimetric change detection and collection, Pilot Study Area
- 4. Planimetric change detection and collection, Remainder of the City
- 5. LiDAR collection and interpolation of the HE-DTM into 1-foot contours / 2-foot contours, Pilot Area
- 6. LiDAR collection and interpolation of the HE-DTM into 1-foot contours (82 square miles) / 2-foot contours (115 square miles), Remainder of the City
- 7. Raw Lidar Point Cloud, Breaklines, spot elevations
- 8. FEMA compliant Vertical Accuracy Report (60 check points)



#### **EXHIBIT B**

# Compensation

CLIENT shall pay, and Sanborn agrees to accept as full consideration for its Services and Deliverables under Exhibit A of this Agreement, the firm-fixed price of One hundred forty-two thousand five hundred fifty dollars and twenty cents (\$142,550.20).

Mobilization costs in the amount of 10% of the total price will be invoiced and paid upon survey and flight plan approval for all expenses incurred to collect the aerial data necessary for the project. Invoices shall be submitted thereafter based upon the delivery milestones as follows:

- 30% upon acquisition completion
- 20% upon survey report and AT report delivery
- 30% upon initial orthophoto delivery by area
- 10% upon final acceptance

Payment terms are thirty (30) days from receipt of invoice. There shall be no retainage of any invoiced amount.

Should any of CLIENT's payments be delayed by more than thirty (30) days from their due date, Sanborn shall have the right to take any one or more of the following actions:

- Stop-work without further obligation, liability, damages or penalty until all past-due payments are received;
- Collect interest on past-due payments in accordance with applicable laws and regulations;
- File appropriate liens against Services and Deliverables for which payment has not been received;
- Terminate this Agreement and collect all payments due in accordance with section 4.1 using all methods available at law and in equity.

CLIENT shall pay, and Sanborn agrees to accept as full consideration for any *additional* Services and Deliverables under this Agreement, invoices for work performed at CLIENT's request through mutually negotiated Purchase Orders.

For any Purchase Orders that are not firm-fixed price, CLIENT shall be responsible for all costs and expenses incident to the performance of Services for CLIENT, including but not limited to, all costs of equipment provided by Sanborn, all travel, food, lodging, all fees, fines, licenses, bonds or taxes required of or imposed against Sanborn and all other of Sanborn's costs of doing business.

# **Vendor Ranking**

	Digital Mapping, Inc.	Surveying and Mapping, LLC	Sanborn
Norman	3	2	1
Edmond	3	2	1
Oklahoma City	3	2	1
ACOG -911	3	2	1

# File Attachments for Item:

8. CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-88: IN THE AMOUNT OF \$18,000 AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT TO FUND PEDESTRIAN IMPROVEMENTS AT THE UNIVERSITY BOULEVARD INTERSECTION WITH WHITE STREET.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 2/25/2025

**REQUESTER:** Katherine Coffin

**PRESENTER:** David Riesland, Transportation Engineer

ITEM TITLE: CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL,

REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-88: IN THE AMOUNT OF \$18,000 AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT TO FUND PEDESTRIAN IMPROVEMENTS AT THE UNIVERSITY BOULEVARD

INTERSECTION WITH WHITE STREET.

# **BACKGROUND:**

Councilmember Holman approached Staff to provide a pedestrian crossing of University Boulevard at White Street to facilitate pedestrian movements between the NOUN Hotel and the Campus Corner area. Staff conducted two studies in response to this request. The first was an intersection evaluation to determine if conversion to all-way STOP control is warranted as this would be the simplest way to provide a proper pedestrian crossing. That study was completed on January 10, 2025, and determined that conversion to all-way STOP control is not warranted. With this result, the next available option is to install pedestrian actuated signs with rectangular rapid flashing beacons. In order to proceed with this option, Staff followed the appropriate guidelines to determine that the demand exists to proceed with this option. To do this, Staff scheduled a pedestrian count of the area between the hours of 4:00 and 6:00 PM on January 16, 2025. The count showed that 19 pedestrians crossed University Boulevard near White Street. Staff reasoned that the count was taken in very much of an off-peak time and that volumes during peak times would realistically be much higher. As such, Staff is comfortable with the installation of the pedestrian actuated rectangular rapid flashing beacons at this location (a project location map is attached).

# **DISCUSSION:**

The proposed project is an ADA compliance project. The project will require the construction of ADA-compliant curb ramps, construction of some portions of sidewalk to connect from the street to existing sideway, and installation of the pedestrian actuated signs with rectangular rapid flashing beacons. To fund all of the required work, Staff proposes to utilize funds available in the ADA Sidewalk Audit/Repair Project (TC0038), with a transfer to the Sidewalk Accessibility Project, Materials and Construction (Account Numbers 50593316-46301 and 46101; Project TC0238). The estimated cost for construction and material purchase (the pedestrian actuated signs will be installed by City of Norman Traffic Division personnel) are the same at \$9,000 each.

Because the signs will be installed by City Staff a materials account will be set up within the Sidewalk Accessibility account to track the charges for this project. The following table identifies the budget transfers requested to complete this project.

	Losin	g Account				Gair	ing Account		
Description	Project #	Org	Object	Transfer Amount	Description	Project #	Org	Object	Transfer Amount
ADA Sidewalk Compliance Audit/Repair	TC0038	50592206	46201	-\$9,000	Sidewalk Accessibility	TC0238	50593316	46101	+9,000
ADA Sidewalk Compliance Audit/Repair	TC0038	50592206	46201	-\$9,000	Sidewalk Accessibility	TC0238	50593316	46301	+9,000

If City Council approves the fund transfers, the project will be scheduled to be completed in early spring.

# **RECOMMENDATION 1:**

Staff recommends approval of the transfer of funds from ADA Sidewalk Compliance Audit/Repair to Sidewalk Accessibility Construction Account in the amount \$9,000.

# **RECOMMENDATION 2:**

Staff recommends approval of the transfer of funds from ADA Sidewalk Compliance Audit/Repair to Sidewalk Accessibility Materials Account in the amount \$9,000.

# **RECOMMENDATION 3:**

Staff recommends approval of Resolution R-2425-88.

# Resolution

R-2425-88

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$18,000 AND AUTHORIZING A BUDGET TRANSER AS OUTLINED IN THE STAFF REPORT, TO FUND PEDESTRIAN IMPROVEMNTS AT THE UNIVERSITY BOULEVARD INTERESECTION WITH WHITE STREET.

- § 1. WHEREAS, The City of Norman conducted a pedestrian movement study between the NOUN Hotel and the Campus Corner area; and
- § 2. WHEREAS, the study determined an all-way STOP control is not warranted; and
- § 3. WHEREAS, the study showed the installation of pedestrian actuated signs with rapid flashing beacons is the best method for pedestrian movement control; and
- § 4. WHEREAS, the project is an American with Disabilities Act (ADA), compliance project and will require the construction of ADA-compliant curb ramps, construction of some portions of sidewalk to connect from the street to the existing sideway, and installation of the pedestrian actuated signs with rectangular rapid flashing beacons for pedestrian movement control.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

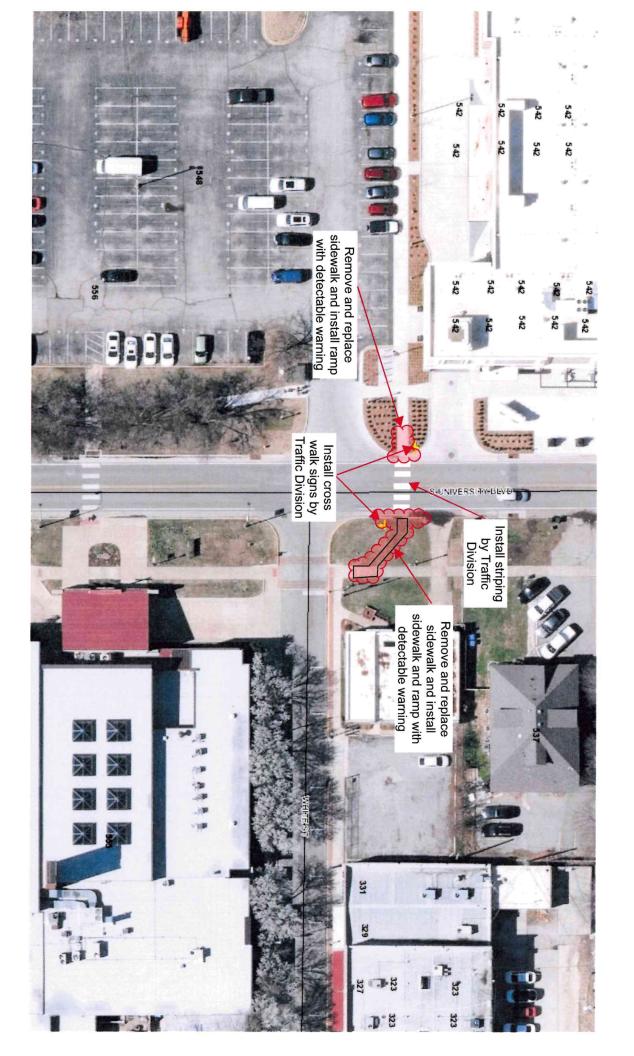
§ 5. That the following transfers be made for reason stated above:

Losing Account	Gaining Account	Amount
ADA Sidewalk Compliance	Sidewalk Accessibility Project	\$0,000
Audit/Repair, TC0038	TC0238, 50593316-46101	\$9,000
ADA Sidewalk Compliance	Sidewalk Accessibility Project	<b>#0.000</b>
Audit/Repair, TC0038	TC0238, 50593316-46301	\$9,000

PASSED AND ADOPTED this 25th day of February, 2025.

ATTEST:	Mayor	
City Clerk		





# File Attachments for Item:

9. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-89: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,000 FROM THE ANIMAL CONTROL DONATION ACCOUNT TO BE USED TO PURCHASE SURGICAL EQUIPMENT FOR THE ANIMAL WELFARE CENTER VETERINARY CLINIC.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Kellee Robertson, Manager, Animal Welfare Division

**PRESENTER:** Kevin Foster, Chief of Police

CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

THE COUNCIL OF THE CITY OF NORMAN. OKLAHOMA.

THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,000 FROM THE ANIMAL CONTROL DONATION ACCOUNT TO BE USED TO PURCHASE SURGICAL EQUIPMENT FOR

THE ANIMAL WELFARE CENTER VETERINARY CLINIC.

#### **BACKGROUND:**

The Norman Animal Welfare Center often receives general, unsolicited donations for unspecified uses. These donations are accepted and deposited within a dedicated account, where they are maintained until requested and approved for disbursement for use by our facility. This item is being brought forward for that purpose.

### **DISCUSSION:**

Animal Welfare would like to request approval to use \$15,000 from the Animal Welfare Donation account towards the purchase of new surgical instruments for our veterinary clinic. Our current instruments have been in service for over a decade and are in need of replacement to ensure safe and effective use in performing surgeries on animals. The safety and well-being of the animals in our care are our top priorities and having the proper tools is a key component to meeting our mission. Dull or inadequate surgical instruments can lead to complications during procedures, increased recovery times, and can even jeopardize the lives of the animals we are trying to help. By investing in new surgical instruments we can ensure that our veterinary staff is equipped to provide the best possible care to the animals in our community.

# **RECOMMENDATION:**

It is recommended that \$15,000 be appropriated from the Other-Animal Control donation account (10-22431) into the Animal Welfare expenditure account Other Sup-Mat-Medical (10660270-43117) to purchase new surgical instruments for the Animal Welfare Center Veterinary Clinic.

# Resolution

R-2425-89

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,000 FROM THE ANIMAL CONTROL DONATION ACCOUNT TO BE USED TO PURCHASE SURGICAL EQUIPMENT FOR THE ANIMAL WELFARE CENTER VETERINARY CLINIC.

- WHEREAS, the Norman Animal Welfare Center receives general, unsolicited donations for unspecified uses; and
- § 2. WHEREAS, donations are accepted and deposited within a dedicated account; and
- § 3. WHEREAS, these accounts are maintained until requested and approved for disbursement for use by the facility; and
- § 4. WHEREAS, the Animal Welfare Facility requests that this donation be approved for purchase of new surgical equipment and instruments for the veterinary clinic; and
- § 5. WHEREAS, our current equipment has been in service for over a decade and are in need of replacement to ensure safe and effective use in performing surgeries on animals; and
- § 6. WHEREAS, the safety and well-being of animals in our care is our top priority and having the proper tools is a key component to meeting our mission; and
- § 7. WHEREAS, by investing in new surgical instruments, we can ensure that our veterinary staff is equipped to provide the best possible care to the animals in our community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 8. That the following appropriations be made for reasons as stated above:

Account Name	Losing Account	Gaining Account	Amount
Other-Animal Control Donation	10-22431	10660270-43117	\$15,000
			Ψ12,000

PASSED AND ADOPTED this 25th of February, 2025.

Mayor	
	Mayor



# File Attachments for Item:

10. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2425-95: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$56,182.43 FROM THE REFUNDS / REIMBURSEMENTS MISCELLANEOUS RISK MANAGEMENT ACCOUNT FOR THE REPAIR OF CITY VEHICLES DAMAGED BY OTHER DRIVERS IN TRAFFIC COLLISIONS.



# CITY OF NORMAN, OK **STAFF REPORT**

**MEETING DATE:** 02/25/2025

**REQUESTER:** Ryan Riddel, Assistant City Attorney

**PRESENTER:** Ryan Riddel, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF RESOLUTION R-2425-95: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN. OKLAHOMA. **APPROPRIATING FROM** THE **REFUNDS** \$56,182.43 REIMBURSEMENTS **MISCELLANEOUS** RISK **MANAGEMENT** ACCOUNT FOR THE REPAIR OF CITY VEHICLES DAMAGED BY

OTHER DRIVERS IN TRAFFIC COLLISIONS.

#### **BACKGROUND:**

Funding is required to repair City vehicles that are damaged by other parties. Most of the time, the City's vendor, ACM, collects funds from the at-fault driver's insurance for reimbursement of this damage. However, when insurance funds cannot be collected and charges related to the same incident are filed by the District Attorney's Office, a request for restitution is submitted by the City for inclusion with the charges.

This item requests appropriation of these various types of funds which have been received to pay for repairs to City vehicles.

# **DISCUSSION:**

Reimbursement has been received for the following incidents:

On August 30, 2023, a Police Department vehicle (Unit 1225) received damage when the rear passenger window was damaged by an arrestee. Restitution was granted in the corresponding criminal case and monthly payments were ordered. The following restitution payments were received from the District Attorney's Office: \$122 dated 11/5/24; \$100 dated 12/6/24, \$100 dated 1/8/25.

On April 7, 2024, a Police Department vehicle (Unit 1215) received damage during pursuit of an intoxicated driver. Restitution was granted in the corresponding criminal case and monthly payments were ordered. The following restitution payments were received from the District Attorney's Office: \$207.64 dated 11/5/24, \$207.64 dated 12/6/24, \$207.64 dated 1/8/25.

On February 3, 2024, a Transit Division bus (Unit 5-1906) received damage when it was struck by another driver that crossed into the outside lane. The bus was repaired immediately so it could be returned to service and Transit Division funds were utilized to pay for the repair invoice. Subsequently, USAA insurance determined their driver to be at fault and payment for damage costs was collected by ACM and remitted to the City in the amount of \$23,223.61.

On August 3, 2024, a Police Department vehicle (Unit 1127) received damage when it was struck by another driver who failed to yield to oncoming traffic when exiting a private driveway. State Farm insurance determined their driver to be at fault and payment for damage costs was collected by ACM and remitted to the City in the amount of \$32,013.90.

The collections outlined above, which total \$56,182.43, were received by the City and forwarded for deposit into the Refunds/Reimbursements Risk Management account.

Staff now submits this request to reimburse the Transit Division for their expense as well as to place funds into the Fleet vehicle repair account for three (3) Police Department units.

### **RECOMMENDATION:**

Staff recommends the approval of R-2425-95 for the appropriation of \$56,182.43 from the Risk Management Fund, Refunds/Reimbursements (Account 439-365264) to the Public Transit Fund, Transit Maintenance & Repair Services-Auto (\$23,223.61; Account 27550276-44201) and to Miscellaneous Services/Uninsured Losses (\$32,958.82; Account 43330104-44798) for the reimbursement of repairs to City of Norman vehicles.



R-2425-95

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$56,182.43 FROM THE REFUNDS / REIMBURSEMENTS RISK MANAGEMENT ACCOUNT TO PAY FOR REPAIRS TO CITY OF NORMAN VEHICLES DAMAGED BY OTHER DRIVERS.

- § 1. WHEREAS, Alternative Claims Management (ACM) assists the City of Norman to collect insurance funds when a City vehicle is damaged by another driver during an auto collision; and
- § 2. WHEREAS, the City of Norman also receives funds for vehicle damage through court ordered restitution when criminal charges are pursued by the District Attorney's Office; and
- § 3. WHEREAS, check payments were remitted by ACM and the District Attorney's Office to the City of Norman totaling \$56,182.43. These funds were forwarded for deposit into the City's Refunds/Reimbursements Miscellaneous Risk Management Account; and
- § 4. WHEREAS, these funds should be appropriated to the City Transit Division account and to the City Fleet vehicle repair account so reimbursement can be made;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 5. THAT the following appropriations be made as follows:

Account Name	Losing	Gaining Account	Amount
·	Account		
Transit Maintenance & Repair SvsAuto	439-365264	27550276-44201	\$23,223.61
Misc. Serv. – Uninsured Losses	439-365264	43330104-44798	\$32,958.82
		TOTAL	\$56,182.43

PASSED AND ADOPTED this 25th day of February, 2025.

	Mayor
ATTEST:	
City Clerk	_



Jemorandui

**DATE:** December 27, 2024

**TO:** Clint Mercer, Chief Accountant

FROM: Sarah Encinias, Legal Admin Tech

**SUBJECT:** City of Norman Debt Recovery

Restitution for Damage to Police Vehicles

The Cleveland County District Court has ordered restitution for damage that occurred to Norman Police Department vehicles where insurance monies could not be collected. The District Attorney's Office then collects this restitution and remits payment to the City.

Attached are two (2) check payments totaling \$637.28, from the District Attorney's Office, for the incidents described below. Please advise if further information is needed regarding these payments.

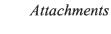
Check Total \$329.64 Voucher #7099143

Issuance Date 11/5/2024

Vehicle	Incident	Court Case	Name	Payment
Unit	Date			Amount
PD-1215	4/7/2024	CM-24-732	E. Barnes	\$ 207.64
PD-1225	8/30/2023	CM-23-1648	M. Moody	\$ 122.00

Check Total \$307.64 Voucher #7099306 Issuance Date 12/6/2024

Vehicle	Incident	Court Case	Name	Payment
Unit	Date			Amount
PD-1215	4/7/2024	CM-24-732	E. Barnes	\$ 207.64
PD-1225	8/30/2023	CM-23-1648	M. Moody	\$ 100.00



cc: Kevin Foster, Chief of Police

Chad Vincent, Major, Police Department

Lisa Tullius, PD Admin Tech

Monteshia Brakhage, PD Admin Tech Mark Delgado, Light Repair Supervisor Jennell James, Fleet Service Writer

Barbara Andros, Revenue Collection Supervisor

Ryan Riddel, Assistant City Attorney



Item 10.

City of Norman

Type: OD-701

JPMorgan Chase OD

Voucher number:

7099143

Date:

11/5/2024

Amount:

329.64

ATB

**Office Copy** 

Office of District Attorney
Cleveland County DA - Criminal Restitution

JPMorgan Chase OD

Voucher number: 7099143

City of Norman

**ATB** 

Date:

11/5/2024

Amount:

329.64

Detach this stub before Cashing. Retain the Stub for your Records.

Non-Negotiable.

THE KEY TO DOCUMENT SECURITY • HEAT ACTIVATED THUMB PRINT • ADDITIONAL SECURITY FEATURES INCLUDED • SEE BACK FOR DETAILS

Office of District Attorney

Cleveland County DA - Criminal Restitution

JPMorgan Chase OD

Voucher Number:

7099143

Registration Number:

4992

Date:

11/5/2024

To the County Treasurer As Official Depository:

Void After One Year

Pay

City of Norman

То

Exactly three hundred twenty-nine dollars and sixty-four cents

The

For:

Order

Of

City of Norman 201 W. Gray St Norman, OK 73069 \$329.64

Item 10.

City of Norman Type: OD-701

JPMorgan Chase OD

Voucher number:

7099306

Date:

12/6/2024

Amount:

307.64

SAC

**Office Copy** 

Office of District Attorney
Cleveland County DA - Criminal Restitution

JPMorgan Chase OD

Voucher number: 7099306

City of Norman

SAC

Date:

12/6/2024

Amount:

307.64

Detach this stub before Cashing. Retain the Stub for your Records.

Non-Negotiable.

THE KEY TO DOCUMENT SECURITY • HEAT ACTIVATED THUMB PRINT • ADDITIONAL SECURITY FEATURES INCLUDED • SEE BACK FOR DETAILS

Office of District Attorney

Cleveland County DA - Criminal Restitution

JPMorgan Chase OD

Voucher Number:

7099306

Registration Number:

6703

\$307.64

Date:

12/6/2024

To the County Treasurer As Official Depository:

Void After One Year

Pay

City of Norman

To The

Exactly three hundred seven dollars and sixty-four cents

For:

Order Of

City of Norman 201 W. Gray St

201 W. Gray St Norman, OK 73069

357

# **MEMORANDUM**



**DATE:** February 6, 2025

**TO:** Clint Mercer, Chief Accountant

FROM: Sarah Encinias, Legal Admin Tech

**SUBJECT:** City of Norman Debt Recovery

Restitution for Damage to Police Vehicles

The Cleveland County District Court has ordered restitution for damage that occurred to Norman Police Department vehicles where insurance monies could not be collected. The District Attorney's Office then collects this restitution and remits payment to the City.

Attached is a check for \$307.64 (voucher #7099466, dated 1/8/2025) from the District Attorney's Office, for the incidents described below. Please advise if further information is needed regarding this payment.

Vehicle Unit	Incident Date	Court Case	Name	Payment Amount
PD-1215	4/7/2024	CM-24-732	E. Barnes	\$ 207.64
PD-1225	8/30/2023	CM-23-1648	M. Moody	\$ 100.00

#### Attachment

cc: Kevin Foster, Chief of Police

Chad Vincent, Major, Police Department

Lisa Tullius, PD Admin Tech

Monteshia Brakhage, PD Admin Tech

Mark Delgado, Light Repair Supervisor

Jennell James, Fleet Service Writer

Barbara Andros, Revenue Collection Supervisor

Ryan Riddel, Assistant City Attorney

Item 10.

# **Voucher Payee Statement**

Cleveland County Restitution
Division, Norman
201 S Jones Suite 300
Norman, OK 73069
(405) 366-0269

# The following is a breakdown of the items included in voucher(s) listed below.

Voucher# 7099466

City of Norman

Date Written: 01-07-2025

Voucher ID: 88296

Voucher Amount: \$307.64

23-5829 | CM-2023-1648 | Moody, Malory

\$100.00

D21-CL Criminal

Original Amt: \$985.00

Amount Left: \$400.00

24-2180 | CM-2024-0732 | Barnes, Ethan Tully

\$207.64

D21-CL Criminal Restitution Amount

Restitution Amount

Original Amt: \$7,474.99

Amount Left: \$6,435.79

Office of District Attorney Cleveland County DA - Criminal Restitution		JPMorgan Chase OD	Voucher Number: Registration Number:	7099466 7356
To the Count Depository:	y Treasurer As Official	Void After One Year	Date:	1/8/2025
ay	City of Norman			\$307.64
ne	Exactly three hundred seven dollars and six For:	kty-four cents		
rder	City of Norman		Coul	nty Treasure

# **MEMORANDUM**



**DATE:** February 6, 2025

**TO:** Clint Mercer, Chief Accountant

FROM: Sarah Encinias, Legal Admin Tech

**SUBJECT:** City of Norman Debt Recovery – Damage to City Vehicles

The City of Norman has contracted with Alternative Claims Management (ACM) to provide damage recovery services for the City when a loss is caused by an at-fault party. At-fault parties are automobile drivers who are involved in a collision with a City vehicle and is found to be the cause, or at-fault, of the collision. ACM pursues payment from the at-fault party's insurance company and sends payment to the City.

Attached is check #9907992133 from ACM in the total amount of \$55,237.51. This payment represents damage reimbursement from an insurance company for the incidents described below.

Please advise if you need additional information regarding this payment.

Vehicle Unit	Date of Incident	Insured	Insurance	Payment Amount
1127	8/3/2024	J. Jenkins	State Farm	\$ 32,013.90
5-1906	2/3/2024	J. Johnson	USAA	\$ 23,223.61

# Attachment

cc: Kevin Foster, Chief of Police Chad Vincent, Major, Police Department Lisa Tullius, PD Admin Tech Monteshia Brakhage, PD Admin Tech

Scott Sturtz, Director of Public Works

Taylor Johnson, Transit and Parking Program Manager Jason Huff, Transit Planner and Grants Specialist

Mike White, Fleet Program Manager Mark Delgado, Light Repair Supervisor Jeff Parker, Transit Repair Supervisor Jennell James, Fleet Service Writer

Ryan Riddel, Assistant City Attorney Barbara Andros, Revenue Collection Supervisor Alternative Claims Management 8610 North New Braunfels Avenue Ste 210 San Antonio, TX 78217 2103404400 JPMorgan Chase Bank, N.A. Verify: 888-237-9615 90-7162/3222

Item 10.

9907992133

PAY TO THE ORDER OF NORMAN POLICE DEPARTMENT

\$ 55237.51

Fifty-Five Thousand Two Hundred Thirty-Seven and 51/100

DOLLARS



#### File Attachments for Item:

11. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1451 12<sup>TH</sup> AVENUE SOUTHEAST) WITHDRAWN BY APPLICANT



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Tinker Federal Credit Union

**PRESENTER:** Jane Hudson, Planning & Community Development

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

(1451 12<sup>TH</sup> AVENUE SOUTHEAST) WITHDRAWN BY APPLICANT

APPLICANT/REPRESENTATIVE: Tinker Federal Credit Union/Todd D'Amico

**LOCATION:** 1451 12th Avenue SE

WARD: 1

CORE AREA: No

**REQUESTED ACTION:** Rezoning to SPUD to allow for the development of a

second parcel.

LAND USE PLAN DESIGNATION: Commercial

**GROWTH AREA DESIGNATION:** Current Urban Service Area

BACKGROUND: The subject property's current SPUD, Simple Planned Unit Development, Ordinance O-1920-11, was approved in 2019. The existing SPUD included one building to be used as a Tinker Federal Credit Union with an accompanying parking lot. The remainder of the lot was left vacant. The applicant is requesting an amendment to the SPUD to accommodate the proposed changes to the subject lot and site plan. A Short Form Plat request will follow the zoning request, should it be approved by Council. The proposed changes will divide the three acre subject property into two lots. The second lot contains a parking lot and location for a

proposed building. The original lot will remain the same with the exception of gaining access to a proposed circle driveway on Lot 2. These changes are reflected on the accompanying Site Development Plan.

#### PROCEDURAL REQUIREMENTS:

**GREENBELT MEETING:** This property is already platted, therefore Greenbelt is not a requirement for this request.

**PRE-DEVELOPMENT:** A Pre-Development meeting is not required for this application.

**BOARD OF PARKS COMMISSIONERS:** This project does not require a Board of Parks Commissioners request.

#### **ZONING ORDINANCE CITATION:**

Section 36-510 SPUD, SIMPLE PLANNED UNIT DEVELOPMENTS

1. General Description. The Simple Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

2. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD establishes new and specific requirements for

the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

#### **STAFF ANALYSIS:**

**USE:** The allowable uses for this SPUD are included in the SPUD Narrative under Section II Development Plan and Design Concept. The uses are generally commercial in nature. The allowable uses will not change with this amendment to the SPUD. As such, the proposed second lot will have the same set of allowable uses.

**SITE PLAN/ACCESS:** The proposed Site Development Plan shows existing access points off of U.S. Highway 9 (12<sup>th</sup> Ave. SE) and Commerce Dr. The new access point off of Eastgate Dr. will be used to access the proposed parking lot for lot 2. There is one proposed building on Lot 2.

**PARKING:** The SPUD narrative states that parking on site will comply with the City of Norman's applicable parking ordinances, as amended from time to time.

**LANDSCAPING:** The project area will feature 5' landscape buffer along Eastgate Dr. and a 20' Landscape Buffer along the south east boundary of the property. There will also be interior 5' landscape buffer running north to south adjacent to the proposed lot line. The southeast buffer will create separation between the subject lot and the abutting residential use. All other landscaping will be installed in accordance with the City of Norman landscaping regulations as amended from time to time, under Zoning Ordinance Section 36-551, Landscaping Requirements for Off-Street Parking Facilities.

**SIGNAGE:** All signage will be constructed in accordance with the City of Norman sign regulations, as amended from time to time, under City of Norman Code Section 28-505, Commercial Zone Sign Standards. A master sign plan was not provided to city staff because the applicant does not know what sign choices the future tenant will make. However as stated above, the choice of sign will be compliant with Commercial Zone Sign Standards.

**LIGHTING:** All lighting will be constructed in accordance with the City of Norman lighting regulations, as amended from time to time, under Zoning Ordinance Section 36-549, Commercial Outdoor Lighting Standards.

**SANITATION/UTILITIES:** Solid Waste Container Enclosure will be provided in accordance with the City of Norman standards. Any necessary approvals from the City of Norman Sanitation Department will be obtained.

**HEIGHT:** No building shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height.

**FENCING/WALLS:** All screening will be constructed in accordance with the City of Norman screening regulations, as amended from time to time, and as applicable to the Commercial Districts under Zoning Ordinance Section 36-552, Fencing, Walls, and Screening

**OPEN SPACE:** The subject property will have open space in accordance with the Site Development plan or a maximum percentage of 15%.

**EXTERIOR MATERIALS:** The SPUD Narrative outlines the following for exterior materials:

- Masonry wainscoting up to 36 inches.
- EIFS from 36 inches above grade to top of exterior walls.
- Glass windows at 10 feet above finish floor for 10% of the exterior.
- Wood lodge type lumber for trim around windows and exterior doors.
- Structure shall meet the 80% masonry requirements, in accordance with the City of Norman Ordinance Section 36-547, Exterior Appearance.

**EXISTING ZONING:** The property is currently zoned SPUD, Simple Planned Unit Development. The SPUD zoning was granted from Ordinance O-1920-11. The current SPUD allows for similar commercial uses but only on one lot.

#### **ALTERNATIVES/ISSUES:**

**IMPACTS**: No negative impacts are anticipated from this proposed development. The area is already commercially developed and appropriate screening between commercial and residential development will be required.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire hydrants, fire and building codes will be considered at the building permit stage.

**PUBLIC WORKS/ENGINEERING:** A Short Form Plat will be required after the approval of the zoning in order to create two total lots.

**TRAFFIC ENGINEER:** No traffic issues or impacts are anticipated.

**UTILITIES:** The following are comments regarding sewer: For the north lot long private service to be utilized, the recorded easement for the private service must be provided to the City. Lastly, the recorded long private sewer service agreement must be provided to the City. For sanitation, the dumpster location for the south lot must show turning movements for the City trash trucks.

<u>CONCLUSION:</u> Staff forwards this request of a SPUD, Simple Planned Unit Development, and Ordinance O-2425-22 to the Planning Commission for consideration and recommendation to City Council.

**PLANNING COMMISSION RESULTS:** At their meeting of February 3, 2025, Planning Commission recommended adoption of Ordinance No. O-2425-22 by a vote of 7-0.

#### O-2425-22

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1451 12<sup>TH</sup> AVENUE SOUTHEAST)

- § 1. WHEREAS, Tinker Federal Credit Union, the owners of the hereinafter described property, have made application to have the subject property removed from the SPUD, Simple Planned Unit Development District and placed in the SPUD, Simple Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on February 3, 2025 as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the SPUD, Simple Planned Unit Development District and place the same in the SPUD, Simple Planned Unit Development District, to wit:

Lot One (1), in Block Two (2), of East Lindsey Plaza Section 5

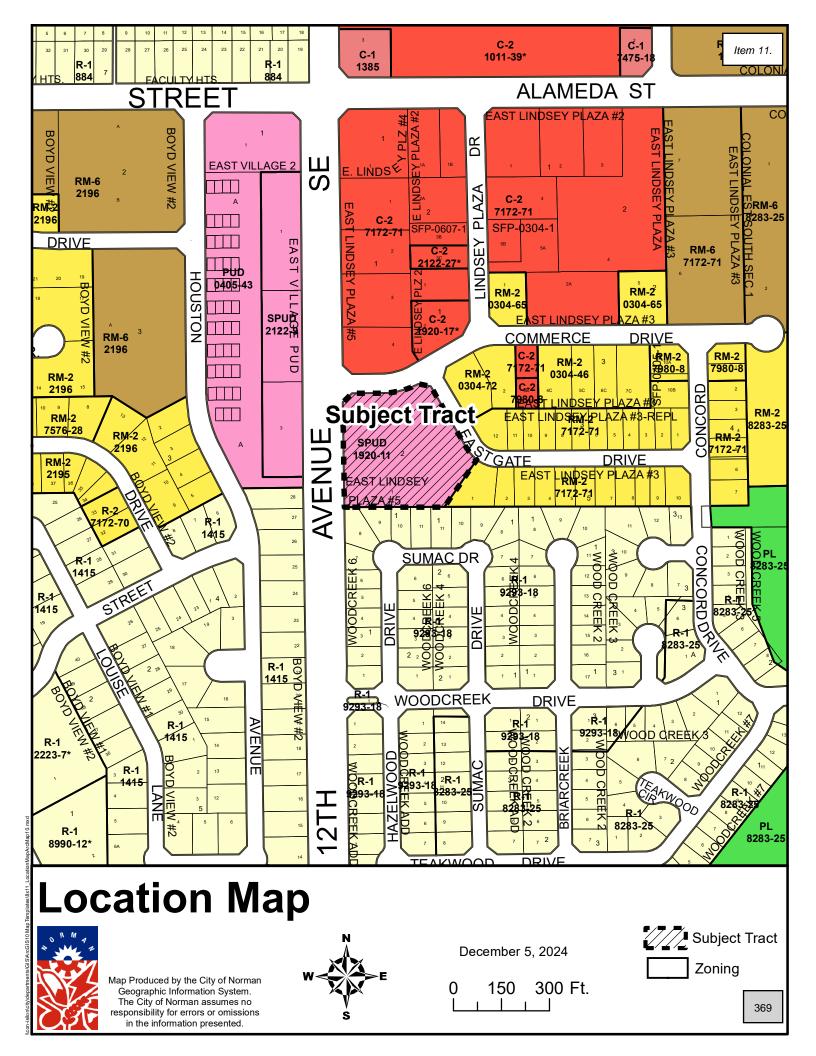
Containing 3 acres, more or less.

§ 5. Further, pursuant to the provisions of Section 36-510 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

Ordinance No. O-2425-22 Page 2

- a. The site shall be developed in accordance with the SPUD Narrative, Site Development Plan, and supporting documentation, which are made a part hereof.
- § 6. <u>Severability</u>. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this	day of	NOT ADOPTED this	day of
2025.	, 2025.		,
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			





Norman, OK

# Simple Planned Unit Development SPUD Narrative

Current Owner: Tinker Federal Credit Union

Simple Planned Unit Development Application for Rezoning December 30, 2024

Prepared by: Todd D'Amico, PLS



3550 W. Robinson Street, 3rd Floor, Norman, OK 73072 (888) 322-7371 - cds.solutions@firstam.com

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#### **INTRODUCTION**

Tinker Federal Credit Union (the "Property") is proposed as a Simple Planned Unit Development (SPUD) in the City of Norman. The Property is generally located at 1451 12<sup>th</sup> Avenue S.E., Norman, Oklahoma.

The intent of this SPUD is 1) to approve the proposed development of a Tinker Federal Credit Union bank branch and 2) to limit the permitted uses on site in order to prevent a negative impact on the adjacent residential properties. This SPUD Narrative will put forth the requirements of the SPUD district adopted herewith for this Property.

#### I. <u>Property Description/General Site Conditions</u>

#### A. Location

The Property is located on the east side of 12<sup>th</sup> Avenue SE/Highway 77 and is bounded by Commerce Drive along the north lot line and Eastgate Drive along the northeast lot line.

#### B. Existing Land Use/Zoning

The Property is currently partially improved with a Credit Union and contains approximately 1.55 acres of vacant land. The property is currently under the original SPUD granted as 1920-11.

#### C. Elevation and Topography

The site has very little slope and the property is partially improved at this time. No part of the Property lies within any flood plain or WQPZ.

#### D. Drainage

TFCU plans to design and develop the site in accordance with the City of Norman Drainage Regulations. Existing underground storm water system was designed to include this site.

#### E. Utility Services

The Property is fully served by all necessary utilities.

#### F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and as otherwise required by code.



#### G. Traffic Circulation/Access

Traffic circulation and access points will be to the City of Norman standards. Access points are as shown on the Site Development Plan attached as "Exhibit A."

#### II. Development Plan and Design Concept

The Property is planned to accommodate Commercial/Office uses as designated in this SPUD Narrative.

#### A. Commercial/Office Development

1. Uses and Design

The purpose for the SPUD is to allow for Commercial/Office Development under the following development regulations:

Uses: The allowable uses for the site are as listed below:

- Art gallery
- Assembly halls of non-profit corporations
- Laboratories for research and testing where all work is housed in buildings and no smoke, noise, odor, dust or other element of operation is more intense outside the confines of the building than that which normally prevails in an R-3, Multi-family Dwelling District
- Libraries
- Museums
- Music conservatories
- Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape



architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices. Funeral homes and mortuaries shall not be considered professional services permitted in this district.

- Public and private schools and college with students in residence and dormitories associated therewith
- Trade schools and schools for vocational training
- Churches
- Child Care Center, as specified in Section 36-566, Childcare Establishments

The following uses shall be permitted provided that no individual use shall exceed a Gross Floor Area of 35,000 sq. ft. and that no outdoor storage or display of materials or goods is permitted:

- Antique shop
- Appliance store
- o Artistic materials supply, or studio
- Automobile supply store
- o Baby shop
- Bakery goods store
- Bank/Credit Union
- Barber shop or beauty parlor
- Book or stationary store
- o Camera shop
- Candy store
- Catering establishment
- Child care establishment
- Clothing or apparel store
- Dairy products or ice cream store
- Delicatessen store
- Dress shop
- Drug store or fountain
- Dry cleaning and laundry plant with no more than three (3) dry cleaning machines and/or laundry pick-up station



- Dry goods store
- Fabric or notion store
- Florist
- o Furniture store
- Gift shop
- Hardware store
- Interior decorating store
- Jewelry shop
- Key shop
- Leather goods shop
- Messenger or telegraph service
- Office business
- Painting and decorating shop
- Pet shop
- Pharmacy
- Photographer's studio
- o Radio and television sales and service
- Self-service laundry
- Sewing machine sales
- Sporting goods sales
- Shoe store or repair shop
- Tailor shop
- Toy store

#### (a) Area Regulations

- Front Yard: A twenty-five (25) foot setback is required for all buildings. Across the entire front of all lots (and the street side of any corner lot) in plats filed after November 7, 2005 a minimum ten (10) foot landscape strip shall be installed, which may not be encroached upon by parking. One eight (8) foot tall shade (canopy) tree per each twenty (20) feet of lot frontage and one (1) three (3)-gallon shrub per five (5) feet of building frontage shall be installed within this landscape strip. Clustering of these required plantings may be allowed, if approved by the City Forester or his designee. Such planting should be covered by the three (3) year maintenance bond required when new landscaping is installed with the parking lot on the same tract. All species are to be approved by the City Forester.
- Side Yard: (1) For uses other than dwelling, no side yard shall be required except on the side of a lot adjoining a dwelling district in



which case there shall be a side yard of not less than five (5) feet. (2) Whenever the rear lot line of a corner lot of a local business district abuts a dwelling district, the side yard setback adjacent to the street shall be fifteen (15) feet.

Rear Yard: Rear yard shall not be required for retail establishments; except where a rear lot line abuts upon a dwelling district and the commercial building is designed to be serviced from the rear, there shall be provided a rear yard of not less than thirty (30) feet for lots without alleys and twenty (20) feet for lots with alleys; and further provided that in no case where the rear lot lines abut a dwelling district shall the commercial building be erected closer than three (3) feet to the rear lot line.

#### (b) Height Regulations

 No building shall exceed two and one-half (2-1/2) stories or thirtyfive (35) feet in height.

#### 2. Parking

Parking on the site will comply with the City of Norman's applicable parking recommendations, as amended from time to time.

#### 3. Solid Waste Container Enclosures

Solid Waste Container Enclosure will be provided in accordance with the City of Norman standards. Any necessary approvals from the City of Norman Sanitation Department will be obtained.

#### B. Miscellaneous Development Criteria

Site Plan

See TFCU Site Development Plan attached as "Exhibit A."

#### 2. Open Space

The subject property will have open space in accordance with the Site Development plan or a maximum percentage of 15%.



#### 3. Signage

All signage will be constructed in accordance with the City of Norman sign regulations, as amended from time to time, under City of Norman Code Section 28-505, Commercial Zone Sign Standards.

#### 4. Lighting

All lighting will be constructed in accordance with the City of Norman lighting regulations, as amended from time to time, under Zoning Ordinance Section 36-549, Commercial Outdoor Lighting Standards.

#### Landscaping

As shown on Exhibit "A", the project area will feature 5' landscape buffer along Eastgate Dr. and a 20' Landscape Buffer along the south east boundary of the property. There will also be interior 5' landscape buffer running north to south adjacent to the proposed lot line. The southeast buffer will create separation between the subject lot and the abutting residential use. All other landscaping will be installed in accordance with the City of Norman landscaping regulations, as amended from time to time, under Zoning Ordinance Section 36-551, Landscaping Requirements for Off-Street Parking Facilities.

#### 6. Screening

All screening will be constructed in accordance with the City of Norman screening regulations, as amended from time to time, under Zoning Ordinance Section 36-552, Fencing, Walls, and Screening.

#### 7. Traffic Access, Circulation, Parking, and Sidewalks

Traffic access, circulation, parking, and sidewalks will be provided in accordance with the City of Norman regulations, as amended from time to time.

#### 8. Exterior Materials

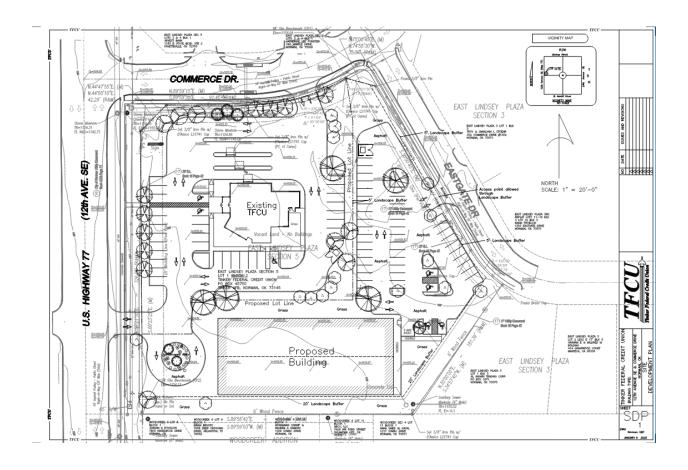
Masonry wainscoting up to 36 inches. EIFS from 36 inches above grade to top of exterior walls. Glass windows at 10 feet above finish floor for 10% of the exterior. Wood lodge type lumber for trim around windows and exterior doors. Structure shall meet the 80% masonry requirements, in accordance with the City of Norman Ordinance Section 36-547, Exterior Appearance.



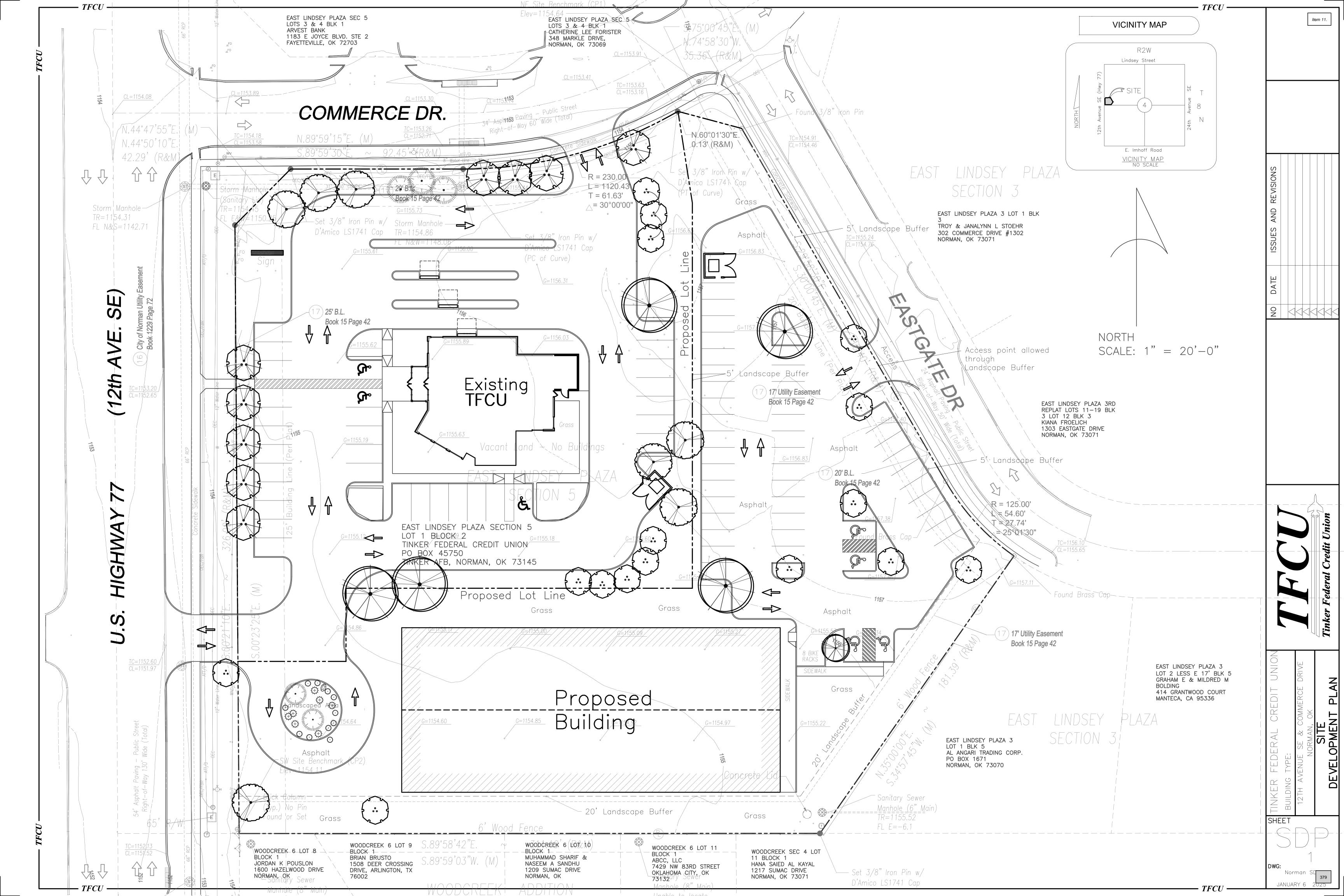
#### **EXHIBIT A**

#### Site Development Plan

#### Full Size Documents Submitted to City Staff









# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 01/09/2025

**REQUESTER:** Tinker Federal Credit Union

**PRESENTER:** Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-22: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE

SEVERABILITY THEREOF. (1451 12<sup>TH</sup> AVENUE SOUTHWEST)

APPLICANT/REPRESENTATIVE: Tinker Federal Credit Union/Todd D'Amico

LOCATION: 1451 12th Avenue SE

WARD: 1

CORE AREA: No.

**REQUESTED ACTION:** Rezoning to SPUD to allow for the development of a

second parcel.

LAND USE PLAN DESIGNATION: Commercial

GROWTH AREA DESIGNATION: Current Urban Service Area

BACKGROUND: The subject property's current SPUD, Simple Planned Unit Development, Ordinance O-1920-11, was approved in 2019. The existing SPUD included one building to be used as a Tinker Federal Credit Union with an accompanying parking lot. The remainder of the lot was left vacant. The applicant is requesting an amendment to the SPUD to accommodate the proposed changes to the subject lot and site plan. A Short Form Plat request will follow the zoning request, should it be approved by Council. The proposed changes will divide the three acre subject property into two lots. The second lot contains a parking lot and location for a proposed building. The original lot will remain the same with the exception of gaining access to

a proposed circle driveway on Lot 2. These changes are reflected on the accompanying Site Development Plan.

#### **PROCEDURAL REQUIREMENTS:**

**GREENBELT MEETING:** This property is already platted, therefore Greenbelt is not a requirement for this request.

**PRE-DEVELOPMENT:** A Pre-Development meeting is not required for this application.

**BOARD OF PARKS COMMISSIONERS:** This project does not require a Board of Parks Commissioners request.

#### **ZONING ORDINANCE CITATION:**

Section 36-510 SPUD, SIMPLE PLANNED UNIT DEVELOPMENTS

1. General Description. The Simple Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

2. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD establishes new and specific requirements for the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

#### **STAFF ANALYSIS:**

**USE:** The allowable uses for this SPUD are included in the SPUD Narrative under Section II Development Plan and Design Concept. The uses are generally commercial in nature. The allowable uses will not change with this amendment to the SPUD. As such, the proposed second lot will have the same set of allowable uses.

**SITE PLAN/ACCESS:** The proposed Site Development Plan shows existing access points off of U.S. Highway 9 (12<sup>th</sup> Ave. SE) and Commerce Dr. The new access point off of Eastgate Dr. will be used to access the proposed parking lot for lot 2. There is one proposed building on Lot 2.

**PARKING:** The SPUD narrative states that parking on site will comply with the City of Norman's applicable parking ordinances, as amended from time to time.

**LANDSCAPING:** The project area will feature 5' landscape buffer along Eastgate Dr. and a 20' Landscape Buffer along the south east boundary of the property. There will also be interior 5' landscape buffer running north to south adjacent to the proposed lot line. The southeast buffer will create separation between the subject lot and the abutting residential use. All other landscaping will be installed in accordance with the City of Norman landscaping regulations as amended from time to time, under Zoning Ordinance Section 36-551, Landscaping Requirements for Off-Street Parking Facilities.

**SIGNAGE:** All signage will be constructed in accordance with the City of Norman sign regulations, as amended from time to time, under City of Norman Code Section 28-505, Commercial Zone Sign Standards. A master sign plan was not provided to city staff because the applicant does not know what sign choices the future tenant will make. However as stated above, the choice of sign will be compliant with Commercial Zone Sign Standards.

**LIGHTING:** All lighting will be constructed in accordance with the City of Norman lighting regulations, as amended from time to time, under Zoning Ordinance Section 36-549, Commercial Outdoor Lighting Standards.

**SANITATION/UTILITIES:** Solid Waste Container Enclosure will be provided in accordance with the City of Norman standards. Any necessary approvals from the City of Norman Sanitation Department will be obtained.

**HEIGHT:** No building shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height.

**FENCING/WALLS:** All screening will be constructed in accordance with the City of Norman screening regulations, as amended from time to time, and as applicable to the Commercial Districts under Zoning Ordinance Section 36-552, Fencing, Walls, and Screening

**OPEN SPACE:** The subject property will have open space in accordance with the Site Development plan or a maximum percentage of 15%.

**EXTERIOR MATERIALS:** The SPUD Narrative outlines the following for exterior materials:

- Masonry wainscoting up to 36 inches.
- EIFS from 36 inches above grade to top of exterior walls.
- Glass windows at 10 feet above finish floor for 10% of the exterior.
- Wood lodge type lumber for trim around windows and exterior doors.
- Structure shall meet the 80% masonry requirements, in accordance with the City of Norman Ordinance Section 36-547, Exterior Appearance.

**EXISTING ZONING:** The property is currently zoned SPUD, Simple Planned Unit Development. The SPUD zoning was granted from Ordinance O-1920-11. The current SPUD allows for similar commercial uses but only on one lot.

#### **ALTERNATIVES/ISSUES:**

**IMPACTS**: No negative impacts are anticipated from this proposed development. The area is already commercially developed and appropriate screening between commercial and residential development will be required.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire hydrants, fire and building codes will be considered at the building permit stage.

**PUBLIC WORKS/ENGINEERING:** A Short Form Plat will be required after the approval of the zoning in order to create two total lots.

**TRAFFIC ENGINEER:** No traffic issues or impacts are anticipated.

**UTILITIES:** The following are comments regarding sewer: For the north lot long private service to be utilized, the recorded easement for the private service must be provided to the City. Lastly, the recorded long private sewer service agreement must be provided to the City. For sanitation, the dumpster location for the south lot must show turning movements for the City trash trucks.

<u>CONCLUSION:</u> Staff forwards this request of a SPUD, Simple Planned Unit Development, and Ordinance O-2425-22 to the Planning Commission for consideration and recommendation to City Council.

#### TFCU Rezoning

7. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-22: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1), IN BLOCK TWO (2), OF EAST LINDSEY PLAZA SECTION 5, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1451 12<sup>TH</sup> AVENUE SOUTHWEST)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. SPUD Narrative
- 4. Site Plan

#### **Staff Presentation**

Justin Fish, Planner I, presented the staff report.

#### **Applicant Presentation**

Commissioner Griffith asked what type of facility is proposed. Todd D'Amico, the representative for the Applicant, explained it is proposed to be a youth gymnastics facility at this time.

#### **Public Comment**

There were no public comments.

**Motion** by Commissioner McKown to recommend approval of Ordinance O-2425-22; **Second** by Commissioner Griffith.

The motion passed unanimously with a vote of 7-0.

#### MISCELLANEOUS COMMENTS OF PLANNING COMMISSION AND STAFF

There were no miscellaneous comments.

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The meeting was adjourned at 6:21 p.m.		
Passed and approved this	_day of	_ 2024.
Planning Commission		

#### File Attachments for Item:

12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE SOUTHEAST)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Fellers Snider Blankenship Bailey & Tippens, P.C.

**PRESENTER:** Jane Hudson, Planning & Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-15 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE

SOUTHEAST)

APPLICANT/REPRESENTATIVE Fellers Snider Blankenship Bailey &

Tippens, P.C.

**LOCATION** North of Etowah Road on 72<sup>nd</sup> Ave SE

WARD 5

CORE AREA No.

**REQUESTED ACTION** Special Use for a Public Utility (Electric

Substation)

LAND USE PLAN DESIGNATION Country Residential

GROWTH AREA DESIGNATION Country Residential Area

#### **BACKGROUND:**

Fellers Snider Blankenship Bailey & Tippens, P.C., on behalf of the Applicant, is requesting Special Use for a Public Utility to allow for the development of an electric substation for Western Farmers Electric Cooperative. The base zoning of A-2, Rural Agricultural District, will remain.

The property contains approximately 98.3 acres with the Special Use project area to be 2.75 acres in size; see attached Site Plan.

In April of 2017, Planning staff was directed to update/amend the existing Zoning Ordinance to establish a policy for all municipal projects and public utilities to properly zone the proposed development with a Special Use request. In order for the City to have the greatest flexibility to locate municipal projects and other public facilities in appropriate locations throughout the City, staff prepared a Zoning Code amendment that allows "municipal uses, public buildings and public utilities" in all zoning districts as a Special Use.

The Special Use designation provides Planning Commission and City Council the opportunity to ensure municipal uses, public buildings, and public utilities are properly located and approved with special conditions if deemed appropriate that provide protection for surrounding property owners. This provides staff the opportunity to present the project for approval and notify the public of such developments.

#### **PROCEDURAL REQUIREMENTS:**

#### **GREENBELT MEETING:**

This request does not involve a preliminary plat or land use plan amendment and is not required to go before the Greenbelt Commission.

#### PRE-DEVELOPMENT: PD24-15, October 24, 2024

A neighbor posed the question of the appropriateness for a substation on land zoned A-2, Rural Agriculture. The applicant responded citing the special use permit allowance for public utilities. Concerns were raised that the project area encroaches on a neighbor's property. The applicant stated they would provide the survey documents to confirm the boundaries. Another attendee expressed concern the project area is approximately 75' from their home. The applicant responded stating that the actual location of the substation within the 2.75 acres was not finalized. Another attendee inquired if the project was in accordance with FERC, Federal Energy Regulatory Commission. The applicant did not know this information. Additional questions on drainage, noise, and obstruction were posed. The applicant was unable to answer these questions. The applicant representative and attendees agreed to another meeting either through the City or privately. The City is not aware if or when this second meeting occurred.

#### **BOARD OF PARKS COMMISSIONERS:**

This application does not include residential uses or a preliminary plat and is therefore not required to go before the Board of Parks Commissioners.

#### **ZONING ORDINANCE CITATION:**

A Special Use request shall be reviewed and evaluated on the following criteria according to Sec. 36-560, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.

- 2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- 3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
- 4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
- 5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
- 6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

#### **STAFF ANALYSIS:**

Except for raising livestock, the subject property is vacant. The area surrounding the subject property is generally used for single-family residential and agricultural purposes. There is a single-family home to the north of the proposed substation. The closest point of the substation is located around 62' from the north property line and 107' from the existing single family home on the property to the north.

#### SITE PLAN/ACCESS:

The proposed Site Development Plan shows two new access points off 72<sup>nd</sup> Ave SE. The proposed driveways measure 25' in width and 95' in width. The substation will be surrounded by a perimeter fence with five 30' removable guards for gates. An oil containment system is to be located outside of the fenced project area on the eastern boundary of the site.

#### LIGHTING:

All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Section 36-549), as amended from time to time.

#### **EXISTING ZONING:**

The allowable uses for properties zoned A-2, Rural Agriculture typically include single-family dwellings, the raising of farm animals, and the growing of crops. Special Use may be granted by City Council for a Public Utility.

#### **ALTERNATIVES/ISSUES**:

**IMPACTS**: The proposed use is an electric substation. This use will generate little traffic in the area. It is anticipated the City's streets have available capacity to accommodate any slight increase in demand the project may generate.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire/building codes will be considered at the building permit stage.

**PUBLIC WORKS/ENGINEERING:** No comments from the City Public Works Department.

**TRAFFIC ENGINEER:** Staff have reviewed the proposed access to the site and have no comments relative to traffic safety.

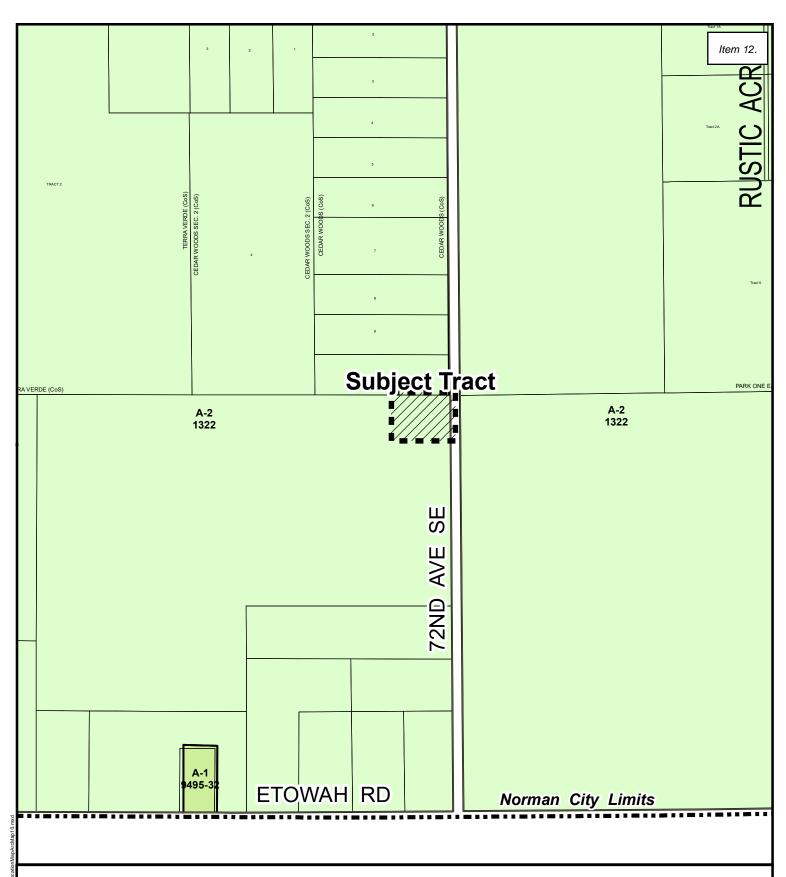
**UTILITIES:** No comments from the City Utilities Department.

#### **CONCLUSION:**

Staff forwards this request for Special Use for a Public Utility with Ordinance O-2425-15 to the Planning Commission for a consideration and recommendation to City Council.

**PLANNING COMMISSION RESULTS:** At their meeting of November 14, 2024, Planning Commission declined to recommended adoption of Ordinance No. O-2425-15 by a vote of 0-7.

**POSTPONEMENT:** On January 23, 2025, Mr. Joe Krodel, Representative of the Applicant requested to postpone Ordinance O-2425-15 until February 25, 2025.



# **Location Map**





October 14, 2024

0 300 600 Ft.



390

#### O-2425-15

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72<sup>ND</sup> AVENUE SOUTHEAST)

- § 1. WHEREAS, Fellers Snider Blankenship Bailey & Tippens, P.C. has made application to have Special Use for Public Utility on the property described below in the A-2, Rural Agricultural District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on November 14, 2024 as required by law, considered the same and declined to recommend that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for Public Utility in the A-2, Rural Agricultural District, for the following described property, to wit:

A strip, piece or parcel of land in the Southeast Quarter (SE/4) of Section Nineteen (19), Township Eight (8) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, described as follows: Beginning at the Northeast corner of said SE/4, a Mag-nail with washer bearing the inscription "CA 6391";

Thence S00°27'13" on the East line of said SE/4, 300,000 feet to a Magnail with washer stamped "CPLSN CA 8035";

Thence N89°58'04"W parallel with the North line of said SE/4, 400.00 feet to a #3 rebar with cap bearing the inscription "CPLSN CA 8035"; Thence N00°27'13"W parallel with the East line of said SE/4, 300.00 feet to the North line thereof and a #3 rebar bearing the inscription "CPLSN CA 8035";

Thence S89°58'04"E on said North line, 400.00 feet to the Point of Beginning, containing 120,000 square feet or 2.75 Acres, more or less. The datum for this description is Grid North, NAD83, Oklahoma South Zone with the basis of bearing being the East line of the SE/4 of Section 19 taken to bear S00°27'13"E as measured between recovered PLSS corner monuments.

Said tract contains 2.75 acres more or less.

- § 5. Further, pursuant to the provisions of Section 36-560 of the Code of the City of Norman, as amended, the following conditions are hereby attached to the zoning of the tract:
  - a. The site shall be developed in accordance with the Site Plan, and supporting documentation, which are made a part hereof.
- § 6. <u>Severability</u>. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this	day of	NOT ADOPTED this	day of
	, 2025.		, 2025.
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			

#### MATERIAL MUST BE PLACED UNDER ALL BUS STRUCTURES, STANDS AND BUSWORK PRIOR TO TO MINIMIZE MOISTURE INFILTRATION INTO THE SUBGRADE OR CONCRETE COVER OF CONFORMANCE WITH SPECIFICATIONS. REFERENCE FOUNDATION INFORMATION SHEET. ENERGIZATION. FOUNDATION. 2. FINISH SOIL GRADE AROUND COMPLETE PIER TO BE SLOPED TO DRAIN WATER AWAY FROM 2. STRIPPING OF ALL SUBGRADES TO A DEPTH REQUIRED TO REMOVE ALL 2. WATER NOT PERMITTED TO IMPOUND ADJACENT TO STRUCTURES OR FOUNDATIONS. 2. AGGREGATE TO BE DEPOSITED IN LAYERS OF 4" AND EACH LAYER THOROUGHLY WETTED VEGETATION AND ROOTS BUT NO LESS THAN 6". STRIPPING SHALL EXTEND 5' FOOTING, PIER AND/OR FOUNDATIONS. EXCESS SOIL TO BE REMOVED. 3. RUNOFF FROM ROOFS TO BE COLLECTED IN GUTTERS AND DRAINS. OUTLETS FROM BEYOND LIMITS OF CONSTRUCTION BUT NOT PROPERTY LIMITS. ALL MATERIAL AND COMPACTED WITH A VIBRATORY ROLLER. DOWNSPOUTS TO BE SURFACED WITH AGGREGATE TO PREVEN WASHOUT. ROOF DRAINS AND OBTAINED FROM STRIPPING OPERATIONS SHALL BE SPREAD ON THE SURFACE OF 3. ROCK SURFACE MATERIAL TO BE MADE OF CRUSHER RUN AGGREGATE CONSISTING OF ROCK DOWNSPOUTS MUST DISCHARGE AWAY FROM STRUCTURE WITH OUTLET A MINIMUM CUT SLOPES AND FILLS OR OTHERWISE DISPOSED WHEN APPROVED BY PROJECT OR GRAVEL WITH 100% PASING OF 1 1/2" SEIVE AND LESS THAN 10% PASSING THE 3/8" SEIVE. ALL POST SHALL BE SET PLUMB AND TO REQUIRED DEPTH PER THE PLANS. ENGINEER. CLEARANCE AWAY FROM STRUCTURE. 4. WHEN SPECIFIED ROCK SURFACE MATERIAL TO BE MADE OF SCREENING AGGREGATE 2. EXTENSION ARMS ARE TO BE INSTALLED WITH 45 DEGEE PROJECTION AWAY FROM 3. ADEQUATE STORM WATER DRAINAGE IS TO BE MAINTAINED DURING ALL 4. GROUNDWATER WAS NOT ENCOUNTERED DURING SUBSURFACE EXPLORATION. DUE TO CONSISTING OF ROCK OR GRAVEL WITH 100% PASSING OF 3/4" SEIVE, 90%-100% PASING 1/2" SUBSTATION AT A UNIFORM HEIGHT TO ALLOW SLIPPAGE OF THE TOP RAIL WITHOUT BINDING SEASONAL CHANGES IN GROUNDWATER THE PATH AND DEPTHS WILL FLUCTUATE WITH THE PHASES OF CONSTRUCTION. SEIVE AND 0%-5% PASSING 3/8" SEIVE. OR DISTORTION. ANY POST WITHOUT EXTENSION ARM WILL BE FITTED WITH A DOMED CAP. HIGHEST LEVEL OCCURING IN EARLY SPRING AND LOWEST LEVELS IN SUMMER. 4. CONTRACTOR EQUIPMENT AND/OR PERSONNEL SHALL NOT TRESPASS 5. NO LESS THAN 8" OF ROCK SURFACING MATERIAL SHALL BE PLACED IN TOTAL. IN THE EVENT 3. TOP RAIL MUST PASS THROUGH EACH EXTENSION ARM OR POST TOP AND FORM A CONTRACTOR IS RESPONSIBLE FOR OBSERVING GROUNDWATER SEEPAGE IN ONTO ADJACENT PROPERTIES. SITE SOILS CONTINUOUS BRACE FROM END TO END OF FENCE. FASTENING IS TO BE PER THE EXCAVATIONS TO ADJUST CONSTRUCTION OR INSTALLATION AS NECESSARY. 5. ENSURE THAT 8" OF 1-1/2" CRUSHER IS PLACED ABOVE ALL 4/0 GROUND 6. RIPRAP MATERIAL TO BE MADE OF LARGE AGGREGATE WITH A MINIMUM SIZE OF 2" AND SPECIFICATIONS AND PLANS. MAXIMUM SIZE OF 4" MEETING OKLAHOMA DEPARTMENT OF TRANSPORTATION CONSTRUCTION 4. BRACING SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS 6. ALL DEFINEABLE FEATURES OF WORK WILL BE INCLUDED IN THE APPROPRIATE SPECIFICATION 713 FOR TYPE I STONE AND PROPER FABRIC STRETCHING WITHOUT POST PULL BACK. ALL FABRIC TERMINATIONS BID UNIT. 7. FILTER BLANKET MATERIAL TO BE MADE OF GRADED AGGREGATE MEETING OKLAHOMA SUBGRADE PREPARATION SHALL BE BRACED BETWEEN THE TERMINAL POST AND ADJACENT LINE POSTS. 7. ALL FIELD DIMENSIONS ARE APPROXIMATE AND MUST BE VERIFIED BY CONTRACTOR. DEPARTMENT OF TRANSPORTATION CONSTRUCTION SPECIFICATION 713:4 FOR A SINGLE 5. BOTTOM OF FENCE FABRIC SHALL BE INSTALLED LEVEL TO GROUND AND TOUCHING FINISH 1. SUBGRADE FOR DRIVEWAYS, PARKING AREAS AND PAD OF FOUNDATION MUST BE 8. OIL CONTAINMENT PAD INSTALLATION TO BE COMPLETED BY OTHERS AND TO INCLUDE COURSE FILTER BLANKET. GRADE SURFACING (TOP OF CRUSHED ROCK SURFACE). FABRIC WIL BE FASTENED TO COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY. GRADING, SURFACING AND SITE ADJUSTMENTS IN SEPARATE WORK ORDER TERMINATION POST ON 14" CENTERS WITH A STRETCHER BAR. FABRIC WILL BE FASTENED TO 2. ALL OTHER SUBGRADES FOR FENCE, DITCHES AND OTHER AREAS MUST BE COMPACTED TO **CULVERTS** 9. PROPOSED EQUIPMENT NOT SHOWN FOR CLARITY AND WILL REMAIN DE-ENERGIZED UNTIL TOP RAIL AND LINE POSTS AT 24" AND 14" INTERVALS. 90% OF THE MAXIMUM DRY DENSITY. NEW TRANSMISSION LINES ARE IN SERVICE. SUBGRADE FOR DRIVEWAYS. PARKING AREAS AND PAD OF FOUNDATION MUST BE 3. UNDISTURBED GRADES DO NOT REQUIRE COMPACTING EFFORT. 10. ALL WORK WITHIN STATUTORY RIGHT-OF-WAY MUST BE COORDINATED WITH APPLICABLE COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY. AGREGATE INCORPORATED INTO PROJEC, SUCH AS PARKING AREAS AND DRIVEWAYS. GOVERNMENT ENTITY. 2. ALL OTHER SUBGRADES FOR FENCE, DITCHES AND OTHER AREAS MUST BE COMPACTED TO SHALL BE COMPACTED TO 95% OF THE STANDARD DENSITY. 11. SODDING AND VEGETATION ESTABLISHMENT TO BE COMPLETED BY OTHERS. CONTRACTOR IS 90% OF THE MAXIMUM DRY DENSITY. RESPONSIBLE FOR VEGETATION MANAGEMENT DURING PROJECT DURATION. 3. UNDISTURBED GRADES DO NOT REQUIRE COMPACTING EFFORT. 12. BOLLARD INSTALLATION WILL NOT COMMENCE UNTIL UTILITY LOCATION AND DEPTH HAVE 4. AGREGATE INCORPORATED INTO PROJEC, SUCH AS PARKING AREAS AND DRIVEWAYS. BEEN CONFIRMED. BOLLARD LOCATION TO BE ADJUSTED AS NECESSARY TO AVOID CONFLICTS. SHALL BE COMPACTED TO 95% OF THE STANDARD DENSITY. **EXISTING FARM** FENCE TO REMAIN IN PLACE 231'-0" 49'-0" 87'-0" N=662890.17 N=662890.17 E=2166792.50 E=2167190.12 LEGEND PAD RIP RAP N=662869.50 E=2166941.50 AGGREGATE SURFACING 231'-0" SODDING/SEEDING 15'-0" 72'-0" 126'-0" 18'-0" **EXISTING FENCE** $\rightarrow$ N=662854.50 PROPOSED FENCE $\overline{\phantom{a}}$ – PR. FARM FENÇÊ 8" AGGREGATE — E=2166956.50 GATE REMOVABLE CENTERLINE OF DRIVEWAY **EXISTING FARM FENCE** —— FF —— **GUARD FOR GATE** 25' WIDE TRANSMISSION EASEMENT DRIVE - REMOVABLE PROPOSED FARM FENCE \_\_\_\_ I \_\_\_\_ EX. PP — EX. FARM TO BE -HENGE GA RELOCATED BY OTHERS N=662809.00 E=2167028.62 130' MOLINTARIE BERM 65'-8" 102'-4" OIL CONTAINMENT DEFINABLE FEATURES OF WORK-INSTALLATION PHASE WITH BERM AND (2) DESCRIPTION **BOLLARDS INSTALLED** PAD INSTALLATION 7,918 BY OTHERS. TOC/TOS — (8" OF 1-1/2" CRUSHER - STANDARD GRADE TO RUN. TYPÉ A3 ROCK) BERM DRAIN 1,993 SOLID SLAB S.Y. SODDING/SEEDING ·9 674 CHAINLINK FENCE L.F. - STANDARD **CULVERT ENDS TO** INSTALLATION BERM MATCH EXISTING CHAINLINK FENCE GATE MOUNTABLE **FLOWLINE** (30' WIDE) BERM 7,623 S.Y. REMOVABLE REMOVE 300 FINE GRADING GUARD FOR GATE L.F. OF 4,663 C.Y. GRADING CUT EXISTING 4,302 GRADING FILL FARM FENCE 8 GRADING EXPORT C.Y. 362 PROPOSED FARM FENCE GRADING IMPORT C.Y. TO BE INSTALLED BY TOP SOIL STRIPPED C.Y. 5,618 CENTERLINE OF DRIVEWAY OTHERS 1,747 TOP SOIL FILL 95' WIDE STATION DRIVE 72'-4" 77'-8" 48'-0" C.Y. 3,872 TOP SOIL EXPORT **GATE STOP** 13 RIPRAP TON 144 (CONCRETE FILLED POST TON 58 14 | FILTER BLANKET ~1' ABOVE GROUND) 15 | SITE CLEARING 2.48 130 16 24" CGMP W/CETS PR. FARM 658 SNAKE GUARD/VARMET FENCE L.F. - REMOVABLE FENCE TO BE 18 OIL CONTAINMENT UNITS **GUARD FOR GATE** REMOVABLE -**INSTALL** GUARD FOR GATE BY OTHER PERIMETER SNAKE **CULVERT ENDS TO** 1. EXISTING FARM FENCE REMOVAL TO BE INCLUDED IN WORK ORDER NO. 8600 -GUARD/VARMET **MATCH EXISTING** WORK IS TO INCLUDE THE REMOVAL OF EXISTING FARM FENCE GATE, BRACE FLOWLINE FENCE TO BE 10' POSTS AND HARDWARE. EXISTING FARM FENCE GATE AND HARDWARE ARE **INSTALLED BY OTHERS** PROPERTY OF WFEC. ALL OTHER MATERIALS INCLUDING EXISTING FARM FENCE ARE THE PROPERTY OF THE CONTRACTOR AND MAY BE DISPOSED OF GATE STOP AFTER REMOVAL. CONTRACTOR WILL STORE ONSITE ALL WFEC RECLAIMED - 12" THICKLAYER OF 4" RIPRAP -4' WIDE DITCH (CONCRETE FILLED POST MATERIALS. RECLAIMED MATERIALS WILL BE INSTALLED BY OTHERS. ON 6" LAYER OF FILTER BOTTOM ~1' ABOVE GROUND) **FABRIC** P.O. BOX 429 **MAXWELL SUBSTATION** SCALE: 1" =20' MARK DESCRIPTION DATE CLEVELAND **SITE PLAN** STATE OK R-1-W APPROVED FOR CONSTRUCTION J. COCHRAN 10-9-24 A. HENAGE TBD PROPOSED FARM FENCE C. YEAGER | 10-9-24 | T. GOUCHER | TBD TOC/TOS N=662590.17 N=662590.17 8600 TO BE INSTALLED BY E=2167192.50 E=2166792.50 C. MOSTIERO TBD OTHERS SIGNATURE DATE SHEET C1 TBD

SITE DRAINAGE

1. PERMANENT POSITIVE DRAINAGE TO BE PROVIDED AROUND PERIMETER OF FOUNDATIONS

**FOUNDATIONS** 

1. FOUNDATIONS, SLABS AND FOOTINGS SHALL BE INSTALLED AS SHOWN ON DRAWINGS AND IN

**ROCK MATERIAL** 

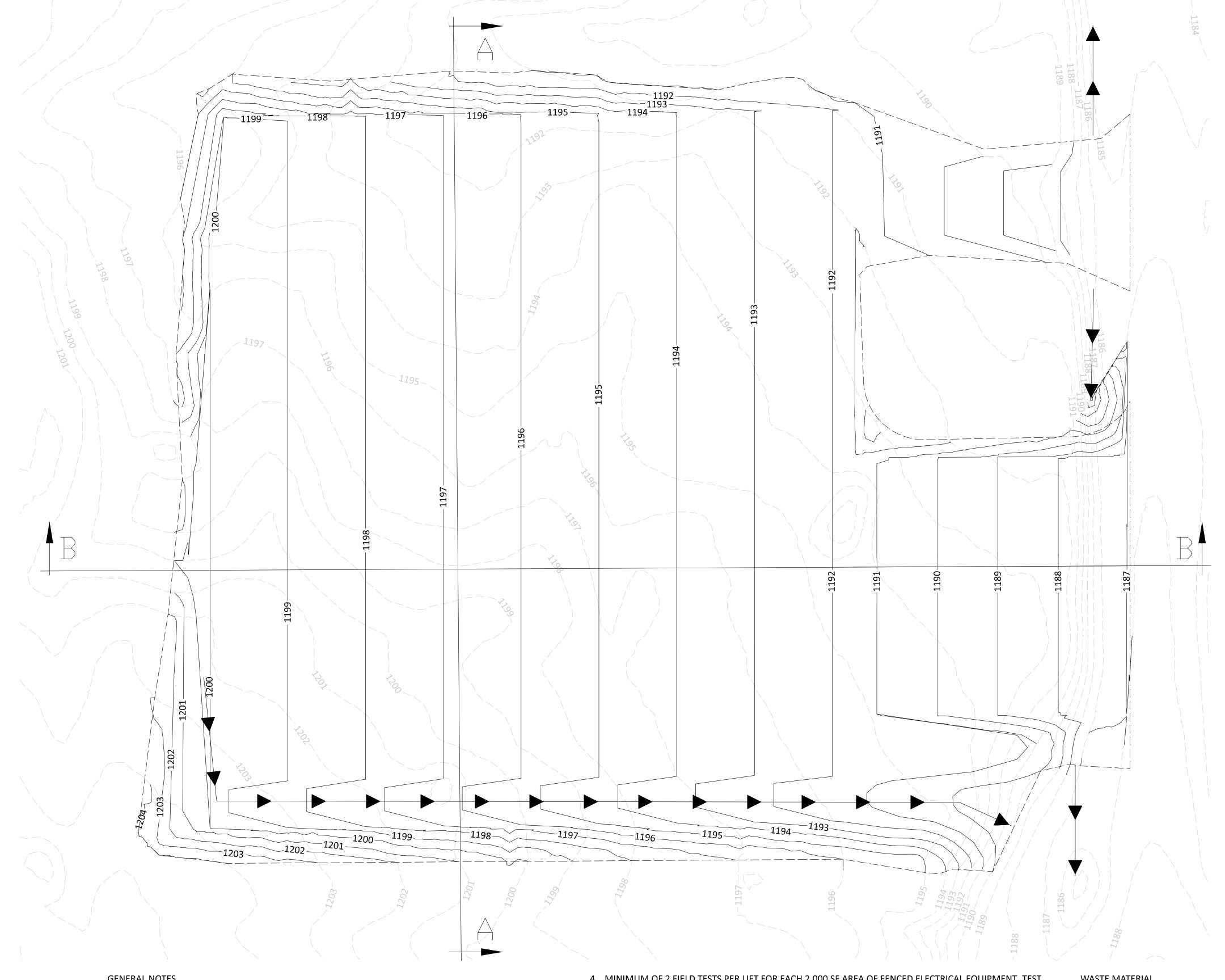
1. APPLY MATERIAL TO THE LIMITS AND DEPTHS OF THE AREAS SPECIFIED ON THE PLANS. ROCK

**GENERAL NOTES** 

ACTIVITIES.

1. CONTRACTOR SHALL PERFORM A ONE CALL PRIOR TO EARTH DISTRUBING

Item 12.



	BIDDING INFORMATIO	N	
BID UNIT	DESCRIPTION	UNIT	QUANTITY
M-1	SITE PREPARATION	ACRE	2.48
M-1-GRASS	SODDING	ACRE	0.42
M-1-A3	1-1/2" CRUSHER ROCK	TON	2,970
M-1-A6	RIPRAP	TON	144
M-1-A7	FILTER BLANKET	TON	58
M-1-C	UNCLASSIFIED EXCAVATION	LOT	1.00
M-1-F	UNCLASSIFIED FILL	LOT	1.00
N-1	84" CHAINLINK FENCE WITH SECURITY WIRE	LF	674
N-2-30	30' GATE	EA	5
M-1-CMP	CULVERTS	LF	130

## GENERAL NOTES

- 1. ALL SUBGRADE ELEVATIONS TO MATCH GRADING PLAN WITH LIMITS OF GRADING TO MATCH EXISTING
- 2. CONTRACTOR SHALL CONTROL THE FINISHED GRADE OPERATION USING A LEVEL AND PREDETERMINED
- 3. FINAL GRADE ON PLANS MAY BE CHANGED AS NEEDED BY THE PROJECT ENGINEER. WHEN TOP OF FINAL GRADE OR SUBGRADE ELEVATIONS CHANGE THE TOP OF FOUNDATION ELEVATIONS MUST BE CHANGED
- 4. FLOWINE LOCATION IS APPROXIMATE AND POSITIVE SITE DRAINAGE AND RUNOFF IS THE RESPONSIBILITY OF THE CONTRACTOR.
- 5. SEE SHEET C3 THRU C5 FOR TYPICAL SECTIONS.
- 6. FLOWLINE LOCATION IS APPROXIMATE AND SITE DRAINAGE IS THE RESPONSIBILITY OF THE CONTRACTOR.
- 7. LIMITS OF GRADING ARE TO MATCH EXISTING ELEVATIONS.

## FILL MATERIAL

MARK DATE

DESCRIPTION

- 1. ALL FILL MATERIAL N STRUCTURES AREAS, INCLUDING UTILITY BACKFILL, MUST BE PLACED IN CONTINUOUS, HORIZONTAL LIFTS HAVING A MAXIMUM PRE-COMPACTED THICKNESS OF 9" WHEN CONSOLIDATED WITH HEAVY EQUIPMENT. FILL MATERIAL CONSOLIDATED WITH HAND-HELD OR LIGHT EQUIPMENT IS LIMITED TO PRE-COMPACTED THICKNESS OF 6".
- 2. ALL AGGREGATE BASE MATERIAL MUST BE PLACED IN CONTINUOUS, HORIZONTAL LIFTS HAVING A PRE-COMPACTED THICKNESS OF 6".
- 3. ALL LIFTS MUST BE COMPACTED TO AT LEAST 95% OF THE MAXIMUM DRY DENSITY AND WITHIN +/- 2% OF THE OPTIMUM MOISTURE CONTENT.

- 4. MINIMUM OF 2 FIELD TESTS PER LIFT FOR EACH 2,000 SF AREA OF FENCED ELECTRICAL EQUIPMENT. TEST WILL BE CONDUCTED TO DETERMINE IN-PLACE DENSITY AND MOISTURE CONTENT USING SAND CONE, RUBBER BALLON OR NUCLEAR DENSITY GAUGE TEST IN ACCORDANCE WITH APPROPRIATE ASTM
- SPECIFICATION. 5. EXCAVATION ARE TO BE PROTECTED FROM STANDING WATER AND RUNOFF BY GRADING, DRAINAGE CHANNELS, PUMPS, PROTECTIVE BERMS COVERS OR BY ANYOTHER METHOD APPROVED BY PROJECT
- 6. ENGINEERED FILL WILL CONSIST OF APPROVED MATERIAL FREE OF ORGANIC MATTER AND DEBRIS, EXHIBIT MAXIMUM PLASTIC INDEX (PI) OF 18, MAXIMUM LIQUID LIMIT OF 40 AND CONTAINS AT LEAST 15% FINES (MATERIAL PASSING NO. 200 SEIVE, BASED ON DRY WEIGHT) WITH A MAXIMUM ROCK SIZE OF 3".

## OVER EXCAVATION

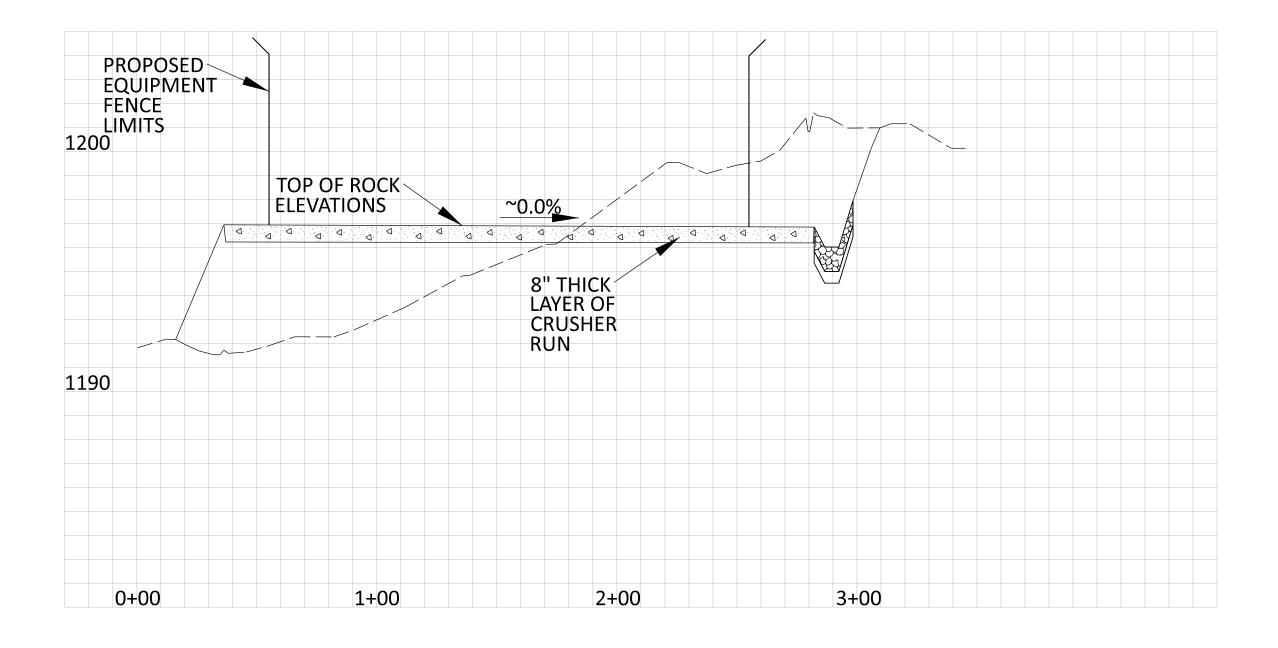
- 1. EXCAVATION BEYOND THE SPECIFIED NEAT LINES AND GRADES SHALL BE CORRCTED BY FILLING IN THE RESULTING VOIDS WITH EARTH FILL COMPACTED TO SPECIFICATION. WHEN SUBGRADE IS TO SUPPORT ROCK MATERIAL WITH DIRECT CONTACT, NOT SEPARATED BY GEOTEXTILE, THE VOIDS MAY BE FILLED
- WITH CRUCHED STONE IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATION FOR CRUSHED ROCK. 2. CONTRACTOR SHALL NOT CORRECT OVEREXCAVATION OF PIERS AND ENTIRE EXCAVATION IS TO BE FILLED WITH CONCRETE.

## WASTE MATERIAL

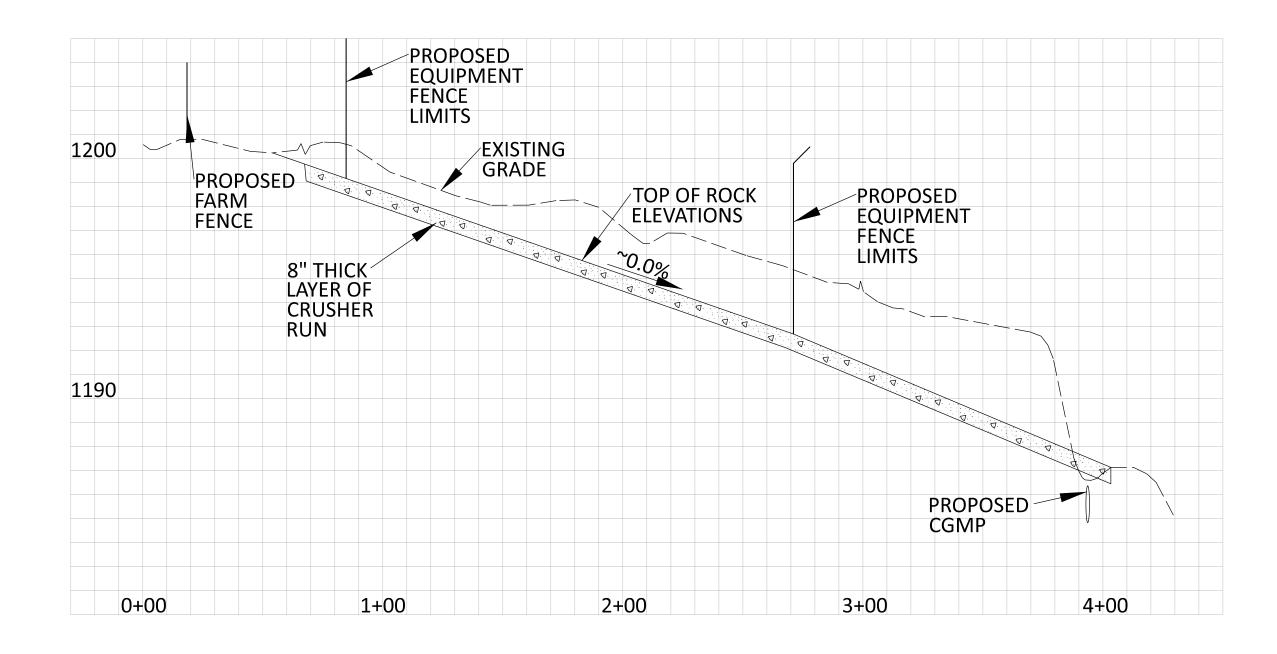
1. WASTER MATERIAL SHALL INCLUDE MATERIALS FROM THE EXCAVATION NOT SUITABLE OR REQUIRED FOR EARTHFILL OR EXCAVATION BACKFILL. ALL WASTE MATERIALS SHALL BE DISPOSED OF BY THE CONTRACTOR.

- 1. CONTRACTOR SHALL PERFORM TESTS ON SOIL AND FINISH GRADE MATERIAL USING AN INDEPENDENT TESTING LABORATORY. SELECTION OF INDEPENDENT TESTING LABORATORY SHALL BE SUBMITTED FOR CONCURRENCE TO PROJECT ENGINEER.
- 2. CONTRACTOR MUST PROVIDE COPIES OF ALL TESTS REPORTS TO WESTERN FARMERS ELECTRIC COOPERATIVE.

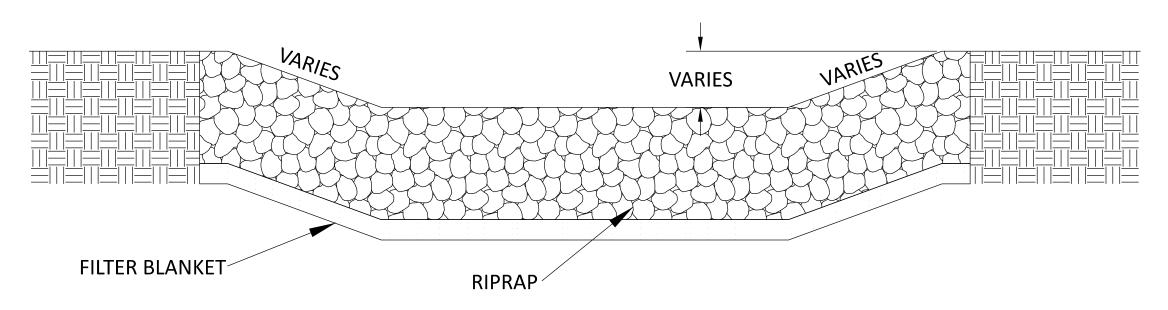
WESTERN F ANADARKO, OKLAHOMA 73005	ARMERS	EL	ECTRIC	COC	PERAT	—	P.O. BO	X 429
MAXWE	LL SUBS	STATI	ON		SCALE:1" =20	)'		
GRA	- DING PL	.AN			COUNTY CLEVELAND STATE	SEC. <u>18</u> T-8-N	A	,
APPROVED FOR CONSTRUCTION	J. COCHRAN	10-9-24	A. HENAGE	TBD	OK	R-1-W		
	C. YEAGER	10-9-24	T. GOUCHER	TBD	WC	ORK ORDER NUM		
	C. MOSTIERO	TBD				8600		
SIGNATURE DATE	CONTROLS ENGINEER TBD	TBD				SHEET C2		394



# SECTION A-A



# SECTION B-B



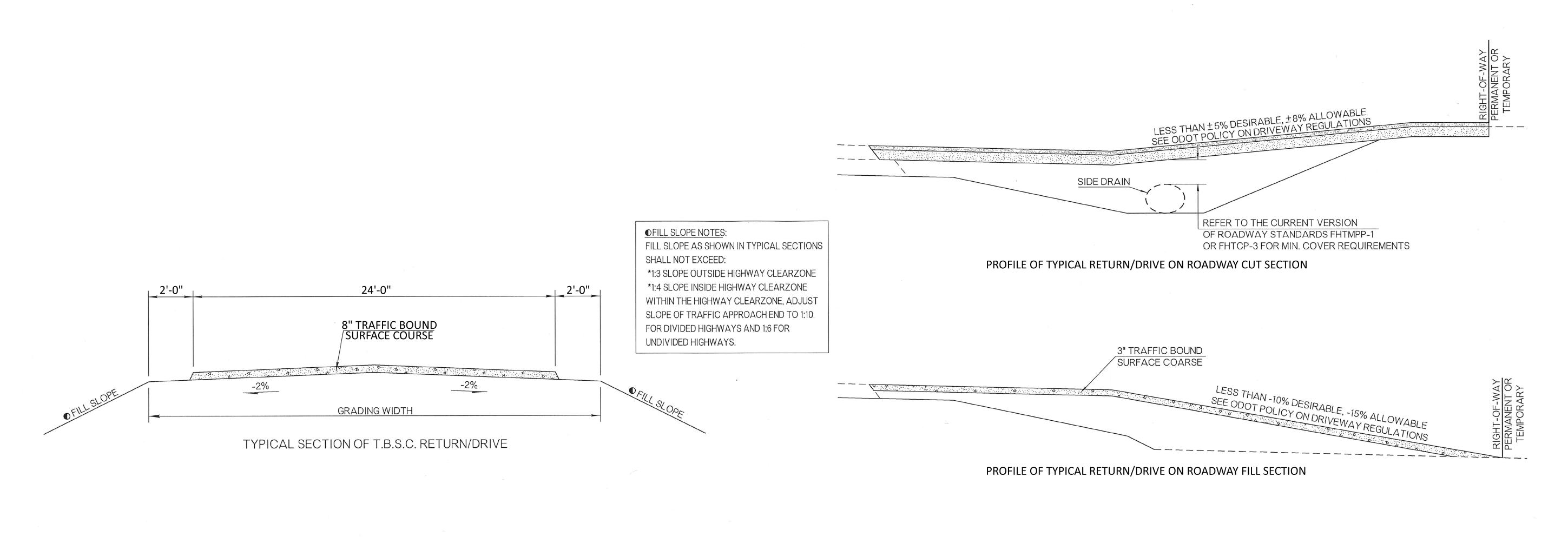
# RIPRAP CHANNEL PROFILE

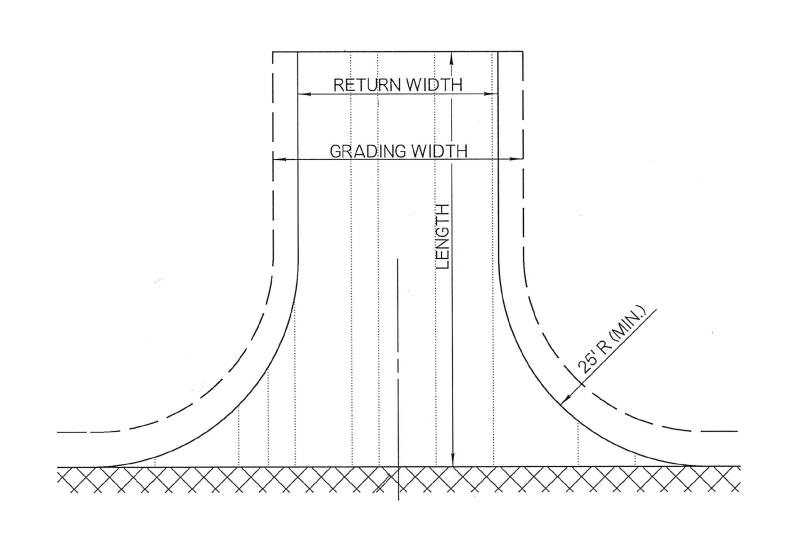
## **GENERAL NOTES:**

- 1. PROPERTY BOUNDARY LIMITS ARE APPROXIMATE AND THE RESPONSIBILTIY OF THE CONTRACTOR TO STAKE.
- 2. PROPOSED FENCE LIMITS ARE APPROXIMATE AND THE RESPONSIBILITY OF THE CONTRACTRO TO STAKE.

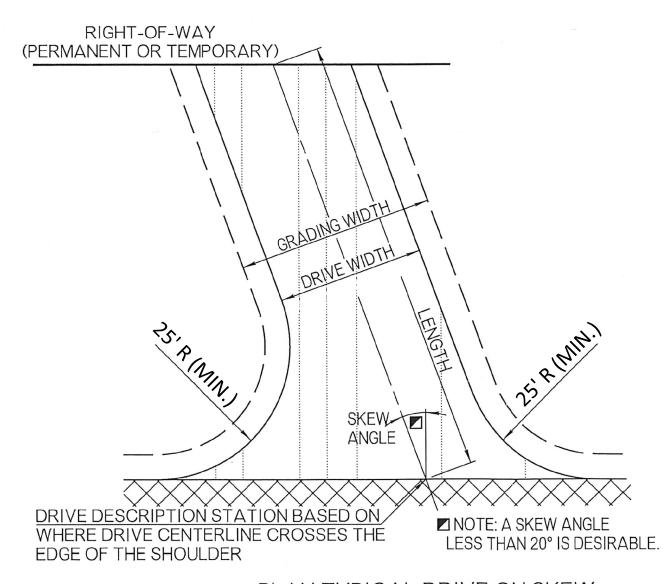
WESTERN F ANADARKO, OKLAHOMA 73005	ARMERS	ELI	ECTRIC	COC	)PERAT	IVE	P.O. B	OX 429
MAXWE	LL SUBS	STATI	ON		SCALE:			
CECTION	- //5\A/C A	A O	D D		COUNTY CLEVELAND	SEC. <u>18</u>		
SECTION V	IEWS A	-A &			STATE	T-8-N	/	V
APPROVED FOR CONSTRUCTION	J. COCHRAN	10-9-24	A. HENAGE	$\operatorname{TBD}^{\mathtt{DATE}}$	OK	R-1-W		
	C. YEAGER	10-9-24	T. GOUCHER	TBD	W	ORK ORDER	NUMBER	
	ELECTRICAL ENGINEER C. MOSTIERO	TBD				800	JU	
SIGNATURE DATE	CONTROLS ENGINEER TBD	TBD				SHEET	C3	395

# 





PLAN TYPICAL SECTION LINE RETURN



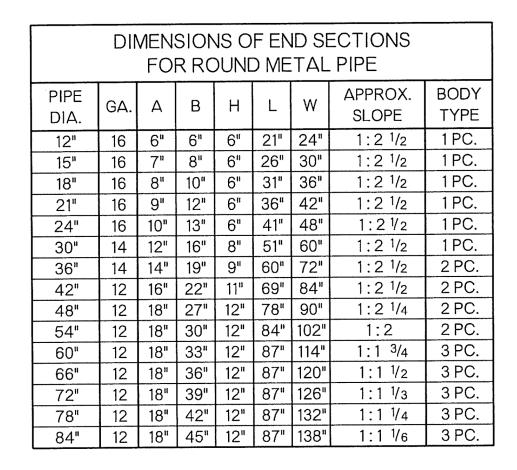
PLAN TYPICAL DRIVE ON SKEW

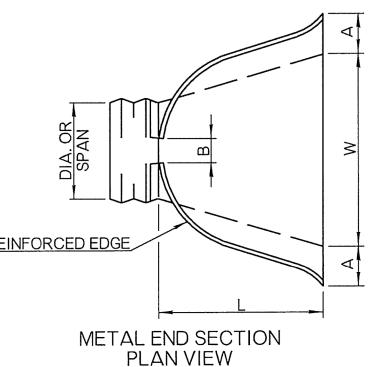
EXST.	
	WHEN TRUCKS OR FARM EQUIPMENT ARE ANTICIPATED, FOR THE FOLLOWING RADIUS, USE THE APPROPRIATE MIN. WIDTH OF DRIVE:  CURVE RADIUS MIN. WIDTH  100' 14' 75' 16' 50' 18' 40' 20'
SECTION LINE OR DRI WITH CURVED ALIGNM	

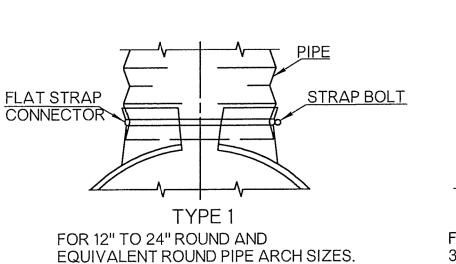
WESTERN F. ANADARKO, OKLAHOMA 73005	ARMERS	EL	ECTRIC	(0	OPERA	TIVE	P.O. BOX
MAXWE	LL SUBS	TATI	ON		SCALE: I	N.T.S.	
DRIVEWAY	- Y INSTAL	.LATI	ON		COUNTY CLEVELAT	ND SEC. <u>18</u> T-8-N	AV
APPROVED FOR CONSTRUCTION	DRAFTER	DATE —	PROJECT MANAGER	TBD	OK	R-1-W	
	CIVIL ENGINEER	DATE —	ENGINEERING MANAGER	TBD		WORK ORDER N	JMBER
	ELECTRICAL ENGINEER	TBD				800	J
SIGNATURE DATE	CONTROLS ENGINEER  TBD	TBD				SHEET C	7

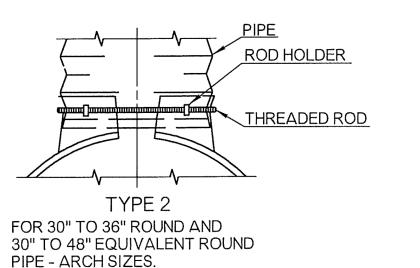
Item 12.

MARK	DATE	DESCRIPTION
-	-	-
-	-	-
-	-	-
-	-	-









3/8" BOLTS.

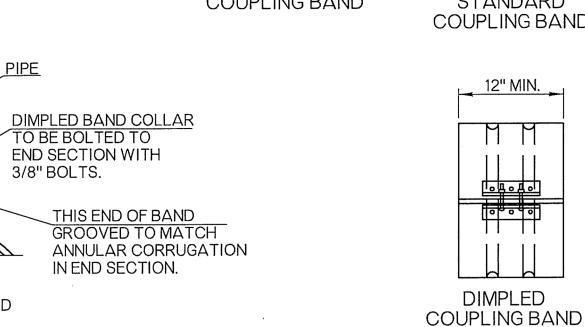
TYPE 4

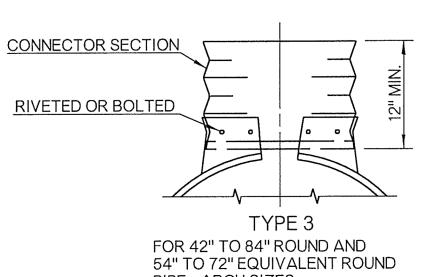
BAND CLAMP SHALL CLEAR HORIZ. LINE., 12" MIN. COUPLING BAND

STANDARD

COUPLING BAND

Item 12.



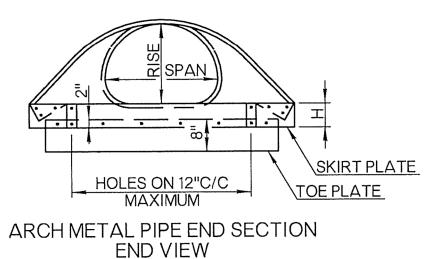


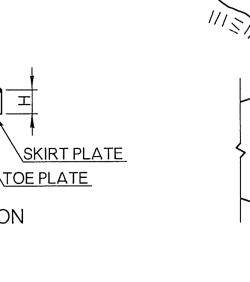
FOR USE WITH ALL ROUND PIPE - ARCH SIZES. AND PIPE ARCH SIZES.

TYPICAL METAL END SECTION CONNECTIONS

## DIMENSIONS OF END SECTIONS FOR METAL PIPE - ARCH APPROX. BODY TYPE SLOPE RISE **ROUND** $1:2^{1/2}$ 12 18" 36" 12" 77" 126" 1:2 83" x 57" 72" 12 18" 39" 12" 77" 138" 1:2

# FOR ALUMINUM END SECTIONS THE 28" x 20" SHALL BE 14 GAGE AND THE 42" x 29" SHALL BE 12 GAGE.





PIPE LENGTH COMPUTED TO HERE. SEE GENERAL NOTES. SLOPE = Y to XSKIRT PLATE STD. COUPLING BAND FOR TYPE 3 ONLY. TOE PLATE METAL END SECTION SIDE VIEW

## GENERAL NOTES

- ALL CONSTRUCTION AND MATERIAL REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE 2009 ODOT STANDARD SPECIFICATIONS.
- CULVERT END SECTIONS SHALL BE OF THE SAME MATERIAL AND SHAPE (ROUND, ARCH, OR ELLIPTICAL) AS THE PIPE ON WHICH THEY ARE INSTALLED.
- DIMENSIONS SHOWN FOR END SECTIONS ARE SUBJECT TO MANUFACTURER TOLERANCES.
- TOE PLATE WILL BE REQUIRED ON ALL METAL END SECTIONS UNLESS SOLID ROCK IS ENCOUNTERED. HOLES IN TOE PLATE TO BE PUNCHED TO MATCH HOLES IN SKIRT PLATE, 3/8" BOLTS TO BE FURNISHED. LENGTH OF TOE PLATES FOR ROUND PIPE END SECTIONS SHALL BE W=10" FOR 12" TO 30" DIAMETER PIPE, W=20" FOR 36" TO 84" DIAMETER PIPE. LENGTH OF TOE PLATES FOR ARCH PIPE END SECTIONS SHALL BE W=10" FOR A RISE OF 13" TO 29" AND W=20" FOR A RISE OF 33" TO 57".
- CONNECTOR SECTION, SKIRT PLATE, AND TOE PLATE ON METAL END SECTIONS SHALL BE THE SAME GAGE AND MATERIAL AS THE SKIRT AND SHALL BE INCLUDED IN PRICE BID FOR END SECTION.
- 6. IF TYPE 3 METAL END SECTION IS USED AS OPTIONAL PIPE, THE LENGTH OF PIPE TO BE REDUCED BY 12" FOR EACH END SECTION. IF CONCRETE PIPE OPTION IS USED, THE LENGTH OF PIPE TO BE REDUCED BY THE C DIMENSION FOR EACH END SECTION.

SIGNATURE DATE

TBD

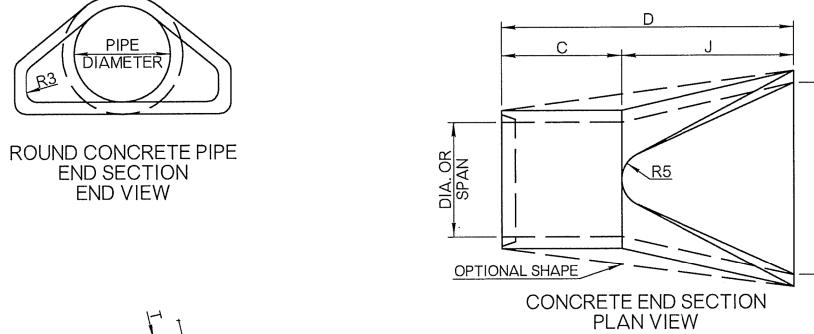
DIMENSIONS OF PRECAST END SECTIONS FOR ROUND PIPE SLOPE DIAMETER 2.25' 3.83' 6.08' 3.00' 91/2" | 3.63' | 2.50' | 6.12' | 4.00' 3 <sup>1</sup>/2" 12" 4.50' | 1.65' | 6.16' | 5.00' | 1:3 30" 15" 5.25' 2.90' 8.15' 6.00' 10 1/2" 4" 36" 10 1/2" 4 1/2" 21" 5.25' 2.92' 8.17' 6.50' 6" 14" 5" 24" 6.00' 2.17' 8.17' 7.00' 1:3 48" 5.42' 2.92' 8.33' 7.50' 51/2" 27" 54" 5.00' 3.25' 8.25' 8.00' 30" 
 24"
 6.50'
 1.75'
 8.25'
 8.50'
 1:2

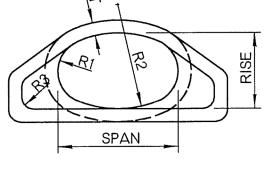
 24"
 6.50'
 1.75'
 8.25'
 9.00'
 1:2

APPROX. EQUIV.		DIMEN	ISIONS	OF PRE	ECA	\ST	END S	ECTIO	ONS F	OR E	LLIPT	ICAL	. PIPE	-
DIAMETER	RISE	SPAN	R1	R2	R3	R4	R5	Т	K	J	C	D	E	SLOPE
18"	14"	23"	6"	20"	3"	3"	6"	2 <sup>3</sup> /4"	8"	2.25'	3.75'	6.00'	3.00'	1:3
24"	19"	30"	8 1/4"	26 <sup>1</sup> /4 "	3"	3"	7"	31/4"	8 1/2"	3.25'	2.75'	6.00'	4.00'	1:3
30"	24"	38"	10 1/4"	323/4"	3"	3"	9"	33/4"	91/2"	4.50'	1.50'	6.00'	5.00'	1:3
36"	29"	45"	12 1/4"	39 1/4 "	3"	3"	12"	41/2"	11 1/4"	5.00'	3.00'	8.00'	6.00'	1:3
42"	34"	53"	14 1/2"	46"	6"	6"	13"	5"	15 ¾4 "	5.00'	3.00'	8.00'	6.50'	1:3
48"	38"	60"	16 ½"	51 1/2"	6"	6"	14"	51/2"	21"	5.00'	3.00'	8.00'	7.00'	1:3
54"	43"	68"	18 ¾4"	58 <sup>1</sup> /2 "	6"	6"	16"	6"	251/2"	5.00'	3.00'	8.00'	7.50'	1:3
60"	48"	76"	203/4"	65"	6"	6"	3611/16"	61/2"	30"	5.00	3.25'	8.25	8.00'	1:2
66"	53"	83"	223/4"	71 1/2"	6"	6"	36 <sup>1</sup> /8"	71/2"	24"	6.50'	1.75'	8.25'	8.50	1:2
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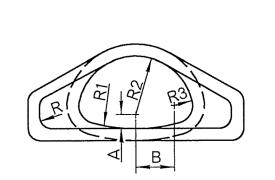
24"	19"	30"	8 1/4"	261/4"	3"	3"	7"	31/4"	8 1/2"	3.25'	2.75'	6.00'	4.00'	1:3
24"							<u> </u>							
30"	24"	38"	10 1/4"	323/4"	3"	3"	9"	33/4"	91/2"	4.50'	1.50'	6.00'	5.00'	1:3
36"	29"	45"	12 1/4"	39 1/4 "	3"	3"	12"	41/2"	11 1/4"	5.00'	3.00'	8.00'	6.00'	1:3
42"	34"	53"	14 1/2"	46"	6"	6"	13"	5"	15 3/4 "	5.00'	3.00'	8.00'	6.50'	1:3
48"	38"	60"	16 ½"	51 1/2"	6"	6"	14"	5 <sup>1</sup> /2"	21"	5.00'	3.00'	8.00'	7.00'	1:3
54"	43"	68"	18 3/4"	58 <sup>1</sup> /2 "	6"	6"	16"	6"	251/2"	5.00'	3.00'	8.00'	7.50'	1:3
60"	48"	76"	203/4"	65"	6"	6"	3611/16"	61/2"	30"	5.00'	3.25	8.25	8.00'	1:2
66"	53"	83"	223/4"	71 1/2"	6"	6"	361/8"	71/2"	24"	6.50'	1.75'	8.25'	8.50'	1:2
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72"	88"	54"	9"	317/16"	6"	126"	45"	12 9/16 "	6"	38 <sup>15</sup> / 16"	7"	24"	6.501	1.75'	8.25'	9.00'	1:2

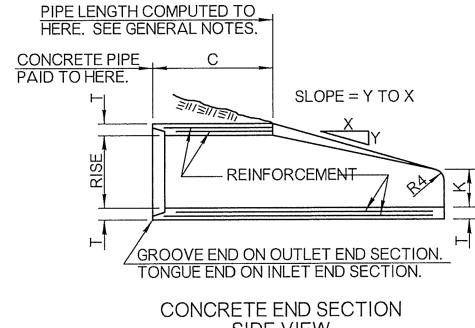




ELLIPTICAL CONCRETE PIPE END SECTION END VIEW



ARCH CONCRETE PIPE END SECTION END VIEW



SIDE VIEW

MARK	DATE	DESCRIPTION
-	•	-
-	-	-
-	-	-
-	-	-

WESTERN FARMERS ELECTRIC P.O. BOX 429 **MAXWELL SUBSTATION** SCALE N.T.S. COUNTY SEC. 18 PIPE END TREATMENT ─ T-8-N STATE OK R-1-W APPROVED FOR CONSTRUCTION DATE ENGINEERING MANAGER CIVIL ENGINEER TBD 8600 TBD CONTROLS ENGINEER

SHEET C8



Warren F. Bickford Greg A. Castro Mark K. Stonecipher Bryan N.B. King Stephen J. Moriarty C. Eric Shephard R. Blaine Nice Michael A. Fagan A. Wayne Billings Peter L. Scimeca

Ryan J. Duffy Jacob P. Jean Philip A. Schovanec Dane H. Miller Johnny R. Blassingame Brian R. Matula Joseph G. Wheeler Joseph P. Krodel Carlee M. Apel Of Counsel
Terry W. Tippens
Paul W. Dudman
Harry H. Selph, II
C. Morgan Dodd
John K. Williams
Heather A. Lehman Fagan
Terry L. Watt
Kelsey L. Jennings
Charles C. Callaway, Jr.
William H. Whitehill, Jr
Eric R. King

Joseph P. Krodel Attorney JKrodel@FellersSnider.com

November 7, 2024

Planning Commission of Norman, Oklahoma c/o Planning and Community Development Department P.O. Box 370
225 N. Webster Ave.
Norman, OK 73069
Lora.Hoggatt@normanok.gov

RE: Western Farmers Electric Cooperative Special Use Permit Application; Responses to Protestor Concerns

To whom it may concern:

My name is Joe Krodel, and I represent Western Farmers Electric Cooperative ("WFEC") with regard to their application for a Special Use Permit to operate an electric substation near the intersection of 72<sup>nd</sup> Ave. SE and Etowah Road.

At the pre-development meeting, surrounding landowners and a legal representative of one of those landowners raised concerns regarding this project and its potential impact on their surrounding properties. Some concerns were addressed, some were deferred to later so that more information could be gathered. In order to fully address all surrounding landowner concerns, I requested that the legal representative, Mr. Shawn Fulkerson, provide me with the list of questions he was referring to when addressing WFEC so that I can fully answer their questions and address their concerns. He was agreeable at pre-development, but after numerous contact attempts, our requests for those questions have been ignored. Further, to fully address neighboring property owner concerns, WFEC offered to make itself available a second time for an in-person meeting to be scheduled through counsel for those landowners. Because all contact has been ignored, that second meeting has yet to be scheduled and will unlikely occur.

Page 2 Planning Commission of Norman, Oklahoma November 7, 2024

While this may not address every concern or question raised at pre-development, I believe it captures the most pressing issues that were left unanswered.

The surrounding landowners asked whether this project is compliant with FERC and other federal regulations. WFEC is required to comply with FERC, NERC, and any other federal regulations on public electric utilities. Further, compliance with all FERC and NERC regulations is a condition of receiving funding from the Rural Utilities Service (RUS) used to make this project possible. This substation project is in compliance with all applicable regulations.

Concerns were raised regarding stormwater runoff, particularly by Mr. King, the neighboring landowner directly north of WFEC's property. WFEC has studied this issue and, as with all substation projects, has included stormwater runoff diversion tactics in their site plan. The interior surface of the substation will be gravel, providing a permeable surface to absorb storm and rainwater to minimize the potential for runoff. On the perimeter of the substation, vegetation will be left in place as a buffer between the substation and neighbors (both are acceptable Best Management Practices (BMPs) under the Stormwater Construction General Permit (OKR10)).

Some surrounding landowners expressed health concerns regarding the proximity to a substation to their homes. These claims, while common, have been studied and are unfounded. Living near a substation like the one proposed by WFEC poses no known health risk. Further concerns regarding noise at this site are also unfounded. This electric substation will produce extremely minimal noise, most of which may come from small fans. However, the substation components itself will not produce any noticeable amount of noise. Protestors are encouraged to observe the numerous other WFEC substations in Norman for an idea of what they sound like (nothing). WFEC currently has at least four substations within city limits (Acme, West Norman, Liddell, and Franklin). At least two of which are in highly residential areas.

Some concerns about "high capacity" power lines were raised as well. The existing lines running through the proposed site, located between the proposed substation and the neighboring property owner to the north's boundary, are the lines that will tie into this substation. No plans for additional lines of any higher capacity are in place for this substation. Additional lines of the same capacity and character of those that already exist may be added. However, the multiple concerns regarding "high capacity" lines at this site are unfounded. There are currently 69 and 138 kv transmission lines serving the four substations identified above (OU-Franklin, Canadian-Paoli, Canadian-Franklin) located in Norman, OK. Additionally, the City of Norman recently approved a project for a 345 kv project within the City of Norman, which is a much higher voltage than the existing lines that will tie into this substation.

Page 3 Planning Commission of Norman, Oklahoma November 7, 2024

WFEC is taking the concerns of surrounding landowners seriously and wants to make sure they will be a good neighbor. Accordingly, WFEC looks forward to addressing you at the Planning Commission Meeting on November 14, 2024, and discussing this project.

Respectfully,

Joe Kradel

Joseph P. Krodel *For the Firm* 

933568.13527

**Applicant:** Fellers Snider Blankenship Bailey & Tippens, P.C.

**Project Location:** North of Etowah Rd on 72<sup>nd</sup> Ave S.E.

Case Number: PD24-15

**Time:** 5:46 p.m.

## **Applicant Representative:**

Joe Krodel

#### **Attendees:**

Mace Robinson
John Horsch
Gary King
Laura King
Shawn Fulkenson
John Crewshaw
Joe Knoded

#### **City Staff:**

Justin Fish, Planner I Beth Muckala, Assistant City Attorney

#### **Application Summary:**

The applicant submitted a request for a special use permit for an electric substation to be placed on 2.75 acres of a 98.3 acre lot. The location being proposed is the northeast corner of the subject property.

### Neighbor's Comments/Concerns/Responses:

The applicant representative was late to the meeting causing the meeting to start at 5:46pm. It was the decision of the group to wait the extra time for the applicant representative to arrive rather than push the meeting back to month.

A neighbor posed the question of the appropriateness for a substation on land zoned A-2, Rural Agriculture. The applicant responded citing the special use permit allowance for public utilities. Concerns were raised that the project area encroaches on a neighbor's property. The applicant stated they would provide the survey documents to confirm the boundaries. Another attendee expressed concern the project area is approximately 75' from their home. The applicant responded stating that the actual location of the substation within the 2.75 acres was not finalized. Another attendee inquired if the project was in accordance with FERC, Federal Energy Regulatory Commission. The applicant did not know this information. Additional questions on drainage, noise, and obstruction were posed. The applicant was unable to answer these questions. The applicant representative

## **City of Norman Predevelopment**

October 24, 2024

Item 12.

and attendees agreed to another meeting either through the City or privately. The City is not aware if or when this second meeting occurred.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 11/14/2024

**REQUESTER:** Fellers Snider Blankenship Bailey & Tippens, P.C.

**PRESENTER:** Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE SOUTHEAST)

APPLICANT/REPRESENTATIVE Fellers Snider Blankenship Bailey &

Tippens, P.C.

**LOCATION** North of Etowah Road on 72<sup>nd</sup> Ave SE

WARD 5

CORE AREA No

**REQUESTED ACTION** Special Use for a Public Utility (Electric

Substation)

LAND USE PLAN DESIGNATION Country Residential

GROWTH AREA DESIGNATION Country Residential Area

#### **BACKGROUND:**

Fellers Snider Blankenship Bailey & Tippens, P.C., on behalf of the Applicant, is requesting Special Use for a Public Utility to allow for the development of an electric substation for Western Farmers Electric Cooperative. The base zoning of A-2, Rural Agricultural District, will remain. The property contains approximately 98.3 acres with the Special Use project area to be 2.75 acres in size; see attached Site Plan.

In April of 2017, Planning staff was directed to update/amend the existing Zoning Ordinance to establish a policy for all municipal projects and public utilities to properly zone the proposed development with a Special Use request. In order for the City to have the greatest flexibility to locate municipal projects and other public facilities in appropriate locations throughout the City, staff prepared a Zoning Code amendment that allows "municipal uses, public buildings and public utilities" in all zoning districts as a Special Use.

The Special Use designation provides Planning Commission and City Council the opportunity to ensure municipal uses, public buildings, and public utilities are properly located and approved with special conditions if deemed appropriate that provide protection for surrounding property owners. This provides staff the opportunity to present the project for approval and notify the public of such developments.

#### PROCEDURAL REQUIREMENTS:

#### **GREENBELT MEETING:**

This request does not involve a preliminary plat or land use plan amendment and is not required to go before the Greenbelt Commission.

#### PRE-DEVELOPMENT: PD24-15, October 24, 2024

A neighbor posed the question of the appropriateness for a substation on land zoned A-2, Rural Agriculture. The applicant responded citing the special use permit allowance for public utilities. Concerns were raised that the project area encroaches on a neighbor's property. The applicant stated they would provide the survey documents to confirm the boundaries. Another attendee expressed concern the project area is approximately 75' from their home. The applicant responded stating that the actual location of the substation within the 2.75 acres was not finalized. Another attendee inquired if the project was in accordance with FERC, Federal Energy Regulatory Commission. The applicant did not know this information. Additional questions on drainage, noise, and obstruction were posed. The applicant was unable to answer these questions. The applicant representative and attendees agreed to another meeting either through the City or privately. The City is not aware if or when this second meeting occurred.

#### **BOARD OF PARKS COMMISSIONERS:**

This application does not include residential uses or a preliminary plat and is therefore not required to go before the Board of Parks Commissioners.

#### **ZONING ORDINANCE CITATION:**

A Special Use request shall be reviewed and evaluated on the following criteria according to Sec. 36-560, Special Uses:

- 1. Conformance with applicable regulations and standards established by the Zoning Regulations.
- 2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.

- 3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
- 4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
- 5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
- That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

#### **STAFF ANALYSIS:**

The subject property is vacant except for raising livestock. The area surrounding the subject property is generally used for single-family residential and agricultural purposes. There is a single-family home to the north of the proposed substation. The closest point of the substation is located around 62' from the north property line and 107' from the existing single family home on the property to the north.

#### SITE PLAN/ACCESS:

The proposed Site Development Plan shows two new access points off 72<sup>nd</sup> Ave SE. The proposed driveways measure 25' in width and 95' in width. The substation will be surrounded by a perimeter fence with five 30' removable guards for gates. An oil containment system is to be located outside of the fenced project area on the eastern boundary of the site.

#### LIGHTING:

All exterior lighting shall be installed in conformance with the City of Norman's Commercial Outdoor Lighting Standards (Section 36-549), as amended from time to time.

#### **EXISTING ZONING:**

The allowable uses for properties zoned A-2, Rural Agriculture typically include single-family dwellings, the raising of farm animals, and the growing of crops. Special Use may be granted by City Council for a Public Utility.

#### **ALTERNATIVES/ISSUES:**

**IMPACTS**: The proposed use is an electric substation. This use will generate little traffic in the area. It is anticipated the City's streets have available capacity to accommodate any slight increase in demand the project may generate.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire/building codes will be considered at the building permit stage.

PUBLIC WORKS/ENGINEERING: No comments from the City Public Works Department.

**TRAFFIC ENGINEER:** Staff have reviewed the proposed access to the site and have no comments relative to traffic safety.

**UTILITIES:** No comments from the City Utilities Department.

## **CONCLUSION:**

Staff forwards this request for Special Use for a Public Utility with Ordinance O-2425-15 to the Planning Commission for a consideration and recommendation to City Council.

#### NON-CONSENT ITEMS

#### **Public Utility**

3. CONSIDERATION OF ADOPTION, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-15: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR PUBLIC UTILITY IN THE A-2, RURAL AGRICULTURAL DISTRICT FOR A STRIP, PIECE OR PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHT (8) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED NORTH OF ETOWAH ROAD ON 72ND AVENUE SOUTHEAST)

#### ITEMS SUBMITTED FOR THE RECORD:

- 1. Staff Report
- 2. Location Map
- 3. WFEC Substation Site Plan
- 4. WFEC Substation Letter to Planning Commission addressing protests
- 5. Pre-Development Summary

#### **Staff Presentation**

Justin Fish, Planner I, presented on the proposed public utility Special Use.

Commissioner Bird asked where other substations are located and when they were built. Staff responded that there have been 2 substations in the past. One was a new substation and one was a Special Use to allow changes to the existing facility.

#### **Applicant Presentation**

Joe Krodel, Representative for WFEC, spoke on the public utility Special Use for the WFEC Substation. Mr. Krodel stated that it would be located off 72<sup>nd</sup> Ave SE where there are currently lines running east and west. He also stated that this would accommodate the growth in Norman.

Commissioner McClure asked where the closest property was to the site and if barriers for noise and visibility would be added. Mr. Krodel responded that the nearest property is 100 feet to the north and there are strict rules to adding vegetation.

Commissioner Kindel asked if there was any immediate need and if it would be serving Norman or the neighboring towns. Mr. Krodel responded that there is an immediate need as this is a growing and undersupplied area. He also stated there is no way to prove who all it will be serving.

Commissioners inquired about the deadlines and hearing dates regarding the condemnation. Shawn Fulkerson, Attorney representing the property owner, went into detail regarding the process of the condemnation and the different scenarios.

Item 12.

Commissioner Brewer asked why they are applying for the Special Use now when there is a long process ahead. Mr. Krodel responded that they have the ability now and want to be prepared when the time comes.

#### **Public Comments**

Trey Kirby, 311 Roserock Dr, Norman, OK (Protest)
J.D. Krohmer, 7240 E. Cemetery Rd, Norman, OK (Protest)
Shawn Fulkerson, 10444 Greenbriar Pl, OKC, OK (Protest)
Reta Jones, 5250 72<sup>nd</sup> Ave SE, Noble, OK (Protest)
Gary King, 5300 72<sup>nd</sup> Ave SE, Noble, OK (Protest)
John Crewshaw, 5100 72<sup>nd</sup> Ave SE, Noble, OK (Protest)
Gary Humphrey, 6655 Etowah Rd, Noble, OK (Protest)

#### <u>Planning Commission Discussion</u>

Commissioner McKown asked if they did any kind of environmental studies regarding the site. Travis Goucher, WFEC, responded that they did and that is why they are adding a detention pond.

Commissioner Bird asked about the height of the building and if it was located in the Water Quality Protection Zone, WQPZ. Mr. Goucher responded that the building would be 50 feet above ground. Todd McLellan, Development Engineer, responded that it is not in the WQPZ.

Commissioner Griffith asked if the transmission lines cross this site. Mr. Goucher responded that they do and that is why the site was selected.

Commissioners had concerns in regards to the proximity to adjacent properties and would like to see more information proving the need for this and why the rush when it will be a long process.

Commissioners would also like to see more information and what it would actually look like before considering a recommendation.

Applicants were asked if they would like to withdraw or postpone the item. They responded stating they did not want to do either.

**Motion** by Commissioner Brewer to recommend approval of Ordinance O-2425-15; **Second** by Commissioner McKown.

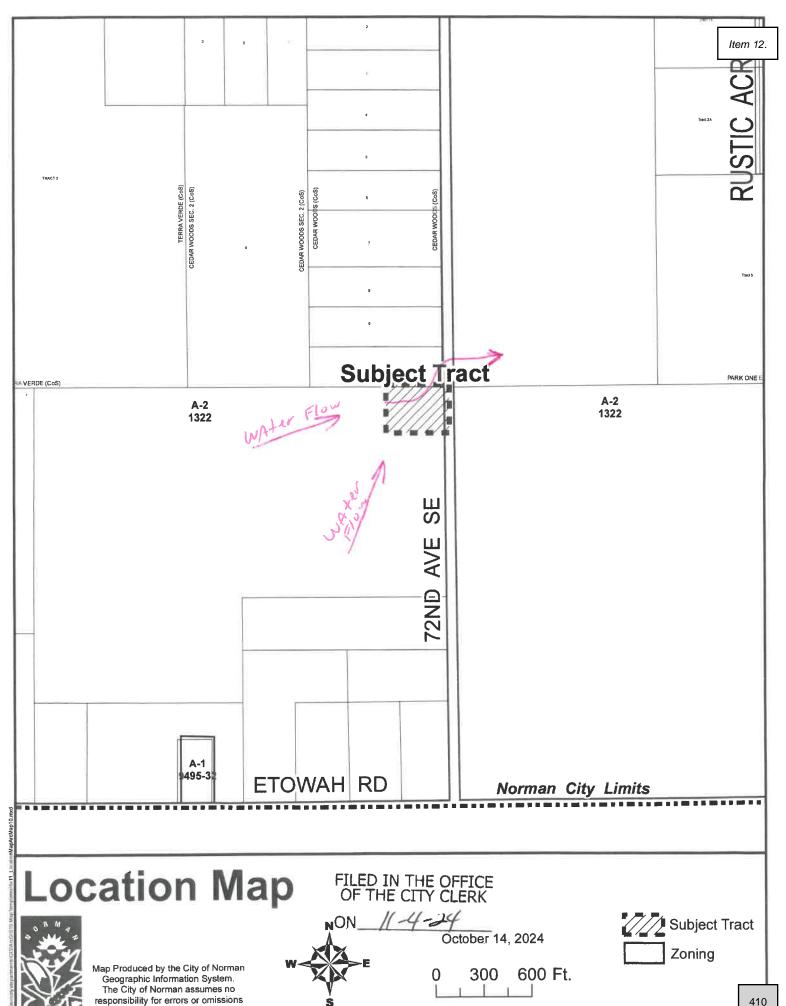
The motion failed with a vote of 0-7.

We, Gary and Laura King are here to protest the proposed substation on 72nd Ave, SE because it is within 200 feet or less of our home. We are concerned with flooding issues that the proposed substation will cause the diversion of water to our property and the natural run off that supplies water under 72nd to the east to ponds and streams that flow to Thunderbird Lake.

The stormwater retention pond will be a hazard for mosquito population and stagnant water because the property does not perk. The noise can be quite loud to adjacent property owners and a constant humming or buzzing may be audible for several hundred feet from the substation fence. The sound may be especially noticeable during the night time hours when the ambient noise levels are lower. The noise and EMF radiation resulting in concerns for our health and it will be a public nuisance. We also feel that the noise and unsightly appearance of the substation will cause future buyers to shy away.

This will also disrupt our quality of life. We are also here with the signed petitions representing our neighbors opposing the substation being put in this location. We feel there would be a more suitable location for this substation other than next to an existing home, 1 to 2 miles east or 2 miles west where there are no homes this close to the current transmission lines that run east to west.

FILED IN THE OFFICE OF THE CITY CLERK ON 02/21/25-2w



in the information presented.

410

#### Cultural Resources

Cultural resources include archeological sites, historic buildings, and sacred places. Potential impacts to cultural resources could occur in two ways: 1) ground disturbing activities could result in the loss of or damage to archeological artifacts or unmarked burial sites; or 2) the views and site lines to or from an important historical site could be adversely affected by the physical presence of a new substation. Both of these potential impacts must be considered when an applicant is selecting its final site alternatives.

A statewide database of known cultural resources must be consulted, and the direction of the Wisconsin Historical Society must be followed if it appears that cultural resources might be affected by a proposed construction project.

#### Electromagnetic Fields

The electric and magnetic field (EMF) levels within the fenced area of a substation can be much higher than the surrounding area, especially at larger substations containing several transformers. However, these EMF levels decrease rapidly with distance from the transformers and other electrical equipment. Most of the time, EMF levels drop to the same as surrounding background levels at a distance of 100 to 200 feet from the fenced area.

#### Land Use and Habitat I oss

New substations located within residential neighborhoods or subdivisions may be perceived as an industrial land use, inconsistent with the aesthetics of the community. They have the potential to affect the character and desirability of the residential area unless adequately landscaped or designed to be less obtrusive. Some examples of substation landscaping or design include surrounding the substation with tree-covered berms, attractive wood fencing, or the use of low-profile facility designs.

Locating a substation in a rural area that is primarily agricultural could result in the loss of productive farmland. Utilities may purchase more land than is needed for the substation footprint. In these situations, once the substation and required infrastructures, like storm water ponds or access roads are constructed, the surrounding acreage is usually leased to a farm operator and returned to agricultural use.

New substation sites within existing wooded areas will result in the loss of trees and woodland habitat for birds and other wildlife. Substations constructed in grasslands may impact high quality bird habitat. Depending on the size and purpose of the substation, the area affected could vary from less than one acre to up to 10 acres.

#### Noise and Lighting

The noise produced by an operating substation can be quite loud to adjacent property owners. A constant humming or buzzing noise may be audible several hundred feet from the substation fence. The sound may be especially noticeable during nighttime hours when ambient noise levels are lower. A barrier of mature trees or tall soil berms between the substation and nearby residences can be helpful in partially reducing noise impacts.

## **Temporary Construction Impacts**

Prior to the construction of a substation, the entire area is cleared of vegetation and regraded. If nonsuitable soils are encountered, they are excavated and replaced.

Temporary impacts associated with the construction of a substation often include machinery noise, fugitive dust, and temporary disruptions in local electric-service. Substantial noise and airborne dust can be caused by the large equipment used to excavate the area of the substation pad and access road, concrete and gravel trucks that haul in materials for the foundation, and tractor trailers to bring in the electrical equipment. Short local electrical outages may be necessary to interconnect nearby transmission and/or distribution lines into the new substation.

Soil erosion and storm water runoff can also occur during construction when the existing vegetation is removed during foundation excavation, temporarily exposing bare ground. Installation of appropriate erosion control measures, such as silt fencing and straw logs should occur during construction and remain in place until the disturbed vegetation surrounding the fenced-in site has stabilized. The thick gravel pad that is laid down (within the fenced substation area) acts as an impermeable surface and increases runoff during rain events. Construction of permanent storm water ponds adjacent to the fenced area is a common practice, especially for larger substations, to mitigate the adverse effects of storm water runoff on water quality in nearby streams and wetlands.

#### **Permanent Construction Impacts**

The permanent impacts related to construction and operation of a new substation (or expansion of an existing substation) may be substantial depending on the location of the new site and its proximity to residences. Among the more important and long-lasting impacts are land use changes and habitat loss, changes to local aesthetics and viewsheds, noise, and lighting. These potential impacts, as well as several others, are discussed below in alphabetical order.

#### A esthetics

The overall aesthetic impact of a new substation is highly dependent on the size and location of the facility. Smaller distribution substations can be camouflaged fairly easily with berms, fencing, or landscaping. Larger substations that interconnect transmission lines can appear quite industrial in nature. In rural settings, local property owners may not object to the facilities' strong visual impact. Within residential areas however, homeowners may find that the physical appearance of the transformers, switches and high fences of new substations detract from the character of the neighborhood. Because of the height of some substation equipment and the clearing necessary around the transmission facilities, it can be difficult to reduce the visual impact of transmission substations. Substation construction applications may include landscape plans and illustrations so that the public can understand how the new structures will look within the neighborhood when compared to adjacent land uses.

#### **PETITION**

This Petition is for the purpose of opposing the installation of the Maxwell substation on 72<sup>nd</sup> Ave SE in Norman, OK. The boundary survey is attached hereto as Exhibit "A". The Maxwell substation will do nothing but harm the surrounding property owners. Additionally, the proposed substation site is an area that consistently and repeatedly floods. Installation of the Maxwell Substation will affect the surrounding property owners in the following ways:

- 1. Create unnecessary traffic during and after installation.
- 2. Cause property values to drastically decrease.
- 3. Significantly injure the surrounding property owners' right to quiet use and enjoyment of their properties.
- 4. Increase risks of cancer, hormone imbalances, anxiety, depression, and insomnia.

The undersigned Petitioners demand that Cleveland County and the City of Norman prevent Western Farmers and Electric Cooperative from building the Maxwell Substation at the proposed site.

Mrsty J. Asborn	Address 1150 & for St Dark Rd Noble, OK 73068	Phone Number 405 996 030/
BJG-Mauldin		405 639-8405
Robert Kangton		405 464 4166
Hallyffffhyd	4700 E. POST DAK RD. NOBLE, DR 73068	405 208 1559
2004 Salat	5000 73nd Ave 5E Moble, OK 173068	405-820-8197
Brad Darn	5050 77nd 3€ Noble OK 73068	
Gary King	5300 12nd ava Noble 73068	405-650-1725

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Name	Address	Phone Number
Billy Jewell	5201 Rustic Acres	450 628 +552
Robert (Pat) Busick		405 872-8263
John Chershaw	5100 72 AUE	
	Noble OK 73068	195-210-6250
Mdy Crewshaw	Noble OK 73068 5180 72 AUE	1/05 819-6273
BILL KROHMER	5160 72 ANESE	
KUGE SV	7141 Horsefly Law 7141 Horse 04 7306	(405) SO13583
Wet I Shoerey	7150 F. Post Oak ld.	405-99603/2

#### **PETITION**

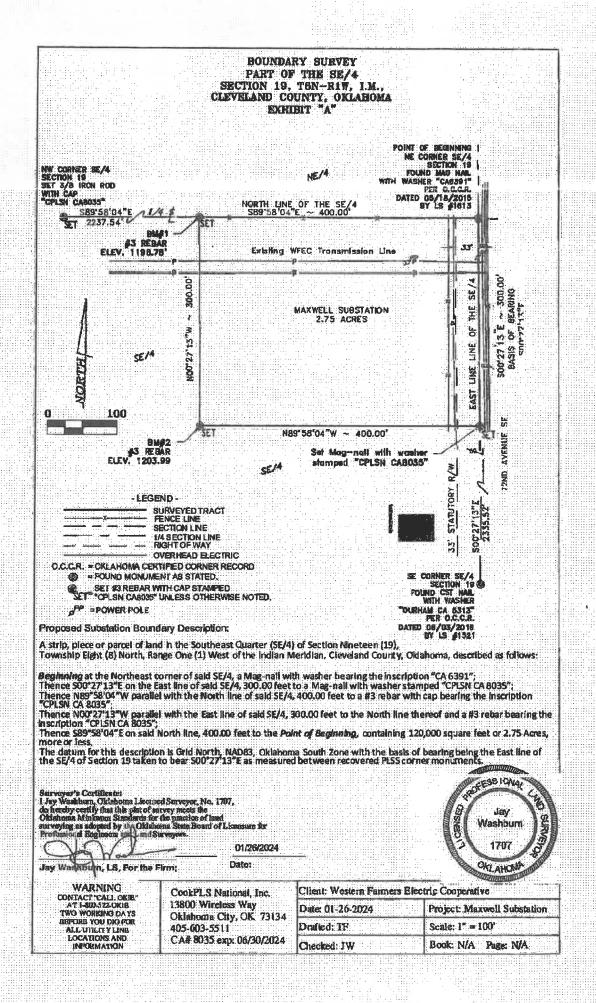
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Name Saran ha	Address 5300 SE 72 rd Aur Nobile OK 73068	Phone Number 405 050 2908
MukaeluKung	5300 72 nd Ave SE Nobu OK, 73068	(405)301-6451
Dux Allah	520 N 72MD ST NOBLE OK 73068	405-343-3203
Reta Joness	NOBUE, OK 73068 5250 7204 AVE SE Noble, OK 73068	580-286-8507
Alp Jones	4100 E. Cedon Ln. Noble, OK 230 68	405-579-2505

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Item 12.

This Sign 15 1/4 mile South of Proposed Substation





Try gas statio... 🌷







**Y**¶ Restaurants

**Shopping** 

🔡 Gas

Eagle Ridge Marketing



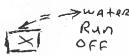




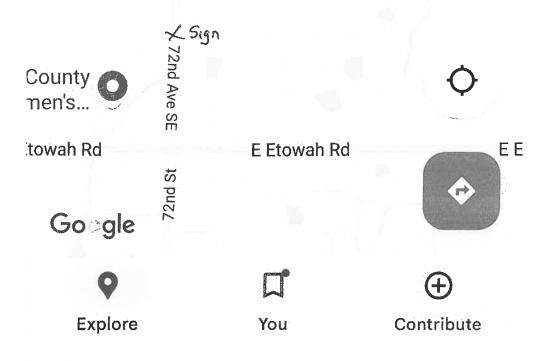
72nd Ave SE

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Pro Posed 519ht





June 12, 2024

Western Farmers Electric Cooperative P.O. Box 429 Anadarko, OK 73005 VIA CERTIFIED MAIL

RE: Maxwell Substation, Cleveland County, Second letter

SENT VIA U.S. MAIL

To Whom it May Concern:

This firm represents Gary King, the owner of 5300 S 72<sup>nd</sup> St., Noble, Oklahoma, which borders the property Western Farmers Electric Cooperative seeks to condemn through Cleveland County Case No. CV-2024-1207 to the north. It has come to our attention that you are planning to construct a substation on the property subject to condemnation. We are reaching out to you to put you on notice that our client is fully prepared to protect their property against damages caused by this proposed substation.

The planned substation raises several serious concerns. First, this construction is likely to redirect the natural flow of stormwater and surface water drainage from the condemned property onto our client's property. The water you redirect will cause flooding and substantial damage to our client's property.

Under Oklahoma law, a landowner may not divert surface water from its usual course in such a way to cause damages to an adjoining landowner. If the construction is not properly designed, water diversion will cause severe flooding to our client's property. As a result, our client foresees significant damage to his property, plus expenses he will be forced to incur to remedy the damages. Additionally, you should be aware of 12 O.S. § 940, which allows our client to seek reimbursement for all litigation expenses and attorneys' fees from you for any redirection of water which would constitute a negligent or willful injury to our client's property.

In addition, the proposed substation may give rise to an inverse condemnation cause of action for our client. The proximity of the proposed substation will damage the value of the entire property for prospective buyers. In addition, the substation's proximity will cause the insurance on the structures and property to increase for the foreseeable future. The unsightly appearance, noise, interference, EMF radiation, and resulting concerns for health caused by the substation will cause potential buyers to shy away. Put simply, constructing this substation in the proposed

location is going to harm our client's family and render the property much less valuable to third parties in perpetuity. This potential for severe damage requires your attention.

This is a special piece of property whose value is at a premium, and the proposed substation is proposed to be located in such a manner that damage and diminution in value of the property highly likely, if not unavoidable.

The proposed substation can be constructed in less populated areas only a mile or two east or west of its currently proposed location. Because the planned location will affect dozens of nearby homeowners while less populated areas are available nearby, the placement is an unreasonable decision. Concerned homeowners recently sent a signed Petition to you raising their concerns but have received no response. I have enclosed a copy of the Petition for review.

We are also aware that neighboring property owners in less dense areas may be willing to settle out of court, yet rather than contact those owners, you have chosen to sue and forcefully take someone's land in Case No. CV-2024-1207. The current chosen location will likely result in damages and consequent lawsuits from neighboring owners, all of which can easily be avoided by simply choosing a different location.

For the aforesaid reasons, our client demands that you relocate the substation, or take all steps to design and construct the substation in a way that does not affect drainage of my client's property or diminish the value of my client's property. Otherwise, they will have no choice but to seek damages and all remedies available at law or equity.

We are also requesting that current engineering and design plans be provided for review.

We thank you in advance for your cooperation and understanding in our efforts to kindly resolve this issue. Please feel free to give us a call if you have any questions.

Sincerely,

Keith Barrett For the Firm

Enc.

Yes, retention ponds can be dangerous due to drowning, flooding, and pollution.  ${\cal P}$ 

# Drowning @

- Retention ponds are a drowning hazard, especially for children.
- Drownings can occur in seconds, even with warning signs.
- Some advocate for mandatory fencing around retention ponds.

## **Flooding**

- If a retention pond overflows, it can flood nearby homes.
- Poorly maintained retention ponds can increase the risk of flooding downstream.

## **Pollution**

- Retention ponds can become contaminated with chemicals, salt, dirt, and debris.
- If not properly maintained, retention ponds can increase pollution discharge downstream.

## Other dangers

- Retention ponds can be breeding grounds for mosquitoes.
- The water levels in retention ponds change constantly, and pumps can create strong currents.

## Safety tips

Don't swim, fish, boat, kayak, or play near retention ponds.

https://www.google.com/search?q=are+there+any+dangers+f...etainage+pond&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari

2/18/25, 6:53 PM Page 1 of 7

#### **KETENTION PONUS III NOA** Communities

Sep 9, 2021 — While there are some advantages to living near a retention...

S Spectrum Association Mana...

and why is maintenance...

Retention Pond After Maintenance Retention ponds will act as a polluta...

Maryland.gov

Ponds: A Growing T

Nov 20, 2024 - Re from New York to F

**The ZAC Foundation** 

Generative AI is experimental.



☐ Save





Children are highly attracted to water, so without barriers and other safety measures, retention ponds pose a drowning risk.

https://www.aquaticsintl.com

Retention Ponds: Drowning Hazards Hidden in Full View

Growing communities are at increased risk of flooding and erosion damage from. excess stormwater runoff. Sep 9, 2021

https://spectrumam.com

**Retention Ponds in HOA Communities** 

About featured snippets Feedback



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## People also ask

Is it bad to live next to a retention pond?

Retention ponds, aka wet ponds, are a bad idea. They are at more risk for flooding and breed mosquitoes. Also issues with water fowl near airports. It isn't just about water quality. Detention ponds are better, but not great. Bioretention is usually best. But that

https://www.google.com/search?q=are+there+any+dangers+f...etainage+pond&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari

2/18/25, 6:53 PM Page 2 of 7

#### File Attachments for Item:

13. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-567.1 ("RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS") TO CHAPTER 36 ("ZONING ORDINANCE"); AND AMENDING SECTIONS 36-521 ("RO, RESIDENCE-OFFICE DISTRICT"), 36-524 ("C-1, LOCAL COMMERCIAL DISTRICT"), 36-526 ("TC, TOURIST COMMERCIAL DISTRICT"), 36-527 ("CR, RURAL COMMERCIAL DISTRICT"), AND 36-560 ("SPECIAL USES") TO CHAPTER 36 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS: AND PROVIDING FOR THE SEVERABILITY THEREOF.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/11/2025

**REQUESTER:** Jason Olsen, Director of Parks and Recreation

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR

POSTPONEMENT OF ORDINANCE O-2425-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN. OKLAHOMA. **ADDING** SECTION 36-567.1 ("RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS") TO CHAPTER 36 ("ZONING ORDINANCE"); AND AMENDING SECTIONS 36-521 ("RO, RESIDENCE-OFFICE DISTRICT"), 36-524 ("C-1, LOCAL COMMERCIAL DISTRICT"), 36-526 ("TC, TOURIST COMMERCIAL DISTRCT"), 36-527 ("CR, RURAL COMMERCIAL DISTRICT"), AND 36-560 ("SPECIAL USES") TO CHAPTER 36 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS: AND PROVIDING FOR

THE SEVERABILITY THEREOF.

#### **BACKGROUND:**

The City of Norman Parks and Recreation Department is actively seeking grant funding opportunities through TSET (Tobacco Settlement Endowment Trust). The grant funding would go to support the construction of the Miracle Field—a custom, adaptive, ADA compliant baseball field to remove barriers and provide opportunities for youth with disabilities to participate in outdoor sports and recreation activities.

In order to achieve these objectives, the City needs to: 1) update two existing ordinances, 16-V Tobacco and 24-311 Prevention of Youth Access to Tobacco And Vapor Products to include updates to State law as well as regulate and prohibit smoking and use of tobacco and vapor products and the smoking or vaping of marijuana on all municipal property; and 2) pass a zoning ordinance imposing certain restrictions on tobacco and e-cigarette retailers to protect youth from the negative health effects of tobacco, nicotine, or vapor products.

All three ordinances must be approved as they are presented in order to achieve the desired level of grant funding (TSET representatives have approved all three ordinances as compliant with the requirements for the highest level of grant funding).

On November 14, 2024, the City of Norman Planning Commission reviewed the proposed zoning ordinance and voted to send it forward for Council consideration.

City staff are scheduled to discuss all the proposed ordinance changes with Council at the February 18, 2025 Study Session prior to the second and final reading of the ordinances.

#### DISCUSSION:

The restrictions in this Ordinance O-2425-10 come directly from 63 O.S. § 1-229.18 and only regulates the distance (within 300 feet) tobacco and e-cigarette retailers can be located near a school, playground, or other facility when primarily used by persons under twenty-one. This ordinance would not apply retroactively—meaning current tobacco or e-cigarette retailers located within this prohibited distance would be allowed to continue operations and only new retailers would be subject to the distance requirements.

This ordinance proposes to add a new section (36-567.1) to Division 36-V-3 "Additional District Provisions" of Article 36-V "Zoning," to establish the above referenced restriction: "[t]he location of a tobacco or e-cigarette store is specifically prohibited within three hundred feet (300') of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age." This section also establishes the permitted legal non-conforming use for those tobacco and e-cigarette retailers that currently exist within the prohibited distance to the protected areas.

The ordinance then establishes internal references to this new section (36-567.1) in the permitted uses subsections of the applicable zoning districts within Division 36-V-2 "Specific District Regulations" of Article 36. Such zoning districts are RO, C-1—which thereby implicates C-2 and C-3—TC, and CR. The ordinance also establishes the same internal reference to the new section 36-567.1 in section 36-560 "Special Uses" within Division 36-V-3.

#### **RECOMMENDATION:**

Staff forwards Ordinance O-2425-10 to Council for consideration.

#### CITY OF NORMAN ORDINANCE 0-2425-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-567.1 ("RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS") TO CHAPTER 36 ("ZONING ORDINANCE"); AND AMENDING SECTIONS 36-521 ("RO, RESIDENCE-OFFICE DISTRICT"), 36-524 ("C-1, LOCAL COMMERCIAL DISTRICT"), 36-526 ("TC, TOURIST COMMERCIAL DISTRCT"), 36-527 ("CR, RURAL COMMERCIAL DISTRICT"), AND 36-560 ("SPECIAL USES") TO CHAPTER 36 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**WHEREAS**, WHEREAS, in an effort to protect our youth from the negative health effects of tobacco, nicotine or vapor products, the State of Oklahoma has prohibited the sale, distribution or possession of tobacco, nicotine or vapor products for anyone under the age of twenty-one (21) years of age; and

WHEREAS, WHEREAS, the City of Norman, pursuant to 63 O.S. § 1-229.18, is authorized to enact laws prohibiting the distribution of tobacco, nicotine, and vapor products and product samples within three hundred (300) feet of any playground, school, or other facility when it is being used primarily by persons under twenty-one (21); and

**WHEREAS,** WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma's regulations promulgated to control youth access to tobacco by adopting Ordinance O-2425-10.

**NOW THEREFORE,** be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "36-521 RO, Residence-Office District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

#### 36-521 RO, Residence-Office District

- (a) *Purposes*. The RO district is designed to provide areas for high density residential development; limited offices, convenience goods stores, and personal service establishments in conjunction with residential uses; primarily in the vicinity of the campus business district.
- (b) Uses permitted. Property and buildings in the RO district shall be used only for the

#### following purposes:

- (1) Any uses permitted in the RM-6 district; provided, however, that the minimum yards established for certain uses in NCC 36-517(b)(2), shall be 20 feet.
- (2) Any use permitted in the R-3 district.
- (3) Artist and photographer studio, but not including the processing of film for others.
- (4) Medical or dental clinic or laboratory.
- (5) Office of non-profit association.
- (6) Office of such professional person as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicists, linguist, landscape architect, optometrist without sales, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse.
- (7) Prescription pharmacy (only when provided in conjunction with subsection (b)(4) of this section).
- (8) Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.
- (9) Convenience goods and services as follows but only in conjunction with residential uses in a mixed building as qualified below:
  - a. Convenience goods stores, similar to the following uses:
    - 1. Drugstore or proprietary store;
    - 2. Florist;
    - 3. Food store, including bakery (retail only);
    - 4. Gift, novelty, or souvenir shop;
    - 5. Hardware store;
    - 6. Ice vending establishment;
    - 7. Limited price variety store;
    - 8. Newsstand;
    - 9. Paint, glass, or wallpaper store;
    - 10. Retail spirits store;
    - 11. Tobacco store.
  - b. Personal service establishments, similar to the following uses:
    - 1. Barber shop;
    - 2. Custom dressmaker, milliner, or tailor;
    - 3. Dry-cleaning pickup or self-service;
    - 4. Dry-cleaning plant limited to 7,000 square feet of floor area;
    - 5. Hat cleaning or repair shop;
    - 6. Laundry pickup or self-service;
    - 7. Optician or optometrist;
    - 8. Pressing, alteration, or garment repair;
    - 9. Shoeshine or repair shop.
  - c. In the case of a mixed building, the floor area devoted to nonresidential uses shall not exceed one-third of the floor area

- devoted to residential uses; in calculating such ratio, common areas serving both residential and nonresidential areas shall be excluded.
- (10) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.
- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Direct mail business.
  - (2) Municipal use, public building and public utility.
  - (3) Public or private golf courses, including any country clubs, club houses, or any accessory commercial enterprises.
  - (4) Church, temple or other place of worship.
  - (5) School offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.
  - (6) Type I bed and breakfast establishment.
  - (7) Type II bed and breakfast establishment.
  - (8) Childcare center, as specified in NCC 36-566.
  - (9) Library/museum.
  - (10) Off-street parking lot to be used as open space for vehicular parking, provided that such parking lot is adjacent to the land on which the principal use is located or separated therefrom only by a street or alley if the principal use is in the CO, C-1, C-2, C-3, I-1, I-2, R-1, R-2, or R-3 districts.
  - (11) Fraternal service organization not conducted for profit.
  - (12) Funeral parlor and mortuary.
  - (13) Pre-packaged food store and toiletries within apartment buildings or complexes wherein there are a minimum of 150 dwelling units, provided that:
    - a. Such store is limited to the main floor or below of the building in which it is located;
    - b. There is no direct entrance thereto from any public street, sidewalk or other public way;
    - c. No part of such store, or its entrance, is visible from any public way, street or sidewalk;
    - d. That such store shall not be advertised in any manner;
    - e. In reviewing any application for permission to establish and operate any such store in any apartment building or complex, the following matters shall be considered:
      - 1. The proximity of other business or commercial districts, and whether or not the proposed store would constitute an independent commercial enterprise, as opposed to any accessory use to the tenants of the apartment complex;
      - 2. Service entrances for delivery vehicles and adequate space for the parking of customers;

- 3. The size and character of the apartment building or complex since the tenants thereof will be expected to furnish substantially all of the financial support of such store.
- f. Any ordinance hereafter enacted granting permission for the establishment and operation of any pre-packaged food store after review, may set forth restrictions as to the space to be occupied, provisions for the automatic termination of permission for violations, and any other reasonable conditions which to the Commission may seem proper.
- (14) Medical marijuana dispensary, Tier I medical marijuana processor, or Tier II medical marijuana processor, as allowed by State law (only when in conjunction with residential uses in a mixed building).
- (d) *Area regulations*. Property and buildings in the RO district shall be subject to the following area regulations:
  - (1) Front yard. The minimum front yard shall be ten feet.
  - (2) *Side yards*. The minimum width of the side yard shall be five feet, except as required for tall buildings by the provisions of subsection (e) of this section.
  - (3) *Rear yard*. There shall be a rear yard of not less than ten feet; one-story unattached buildings of accessory use shall be set back one foot from the utility easement or alley line, and garage apartments shall be set back ten feet from the rear lot line.
  - (4) Lot width. There shall be a minimum lot width of 50 feet at the building line for a single-family dwelling or for a two-family dwelling, and ten feet additional width for each additional family occupying the lot. Such lot shall abut on a street not less than 35 feet.
  - (5) *Intensity of residential use; options.* 
    - a. *Large lots*. In the case of a lot which is either at least 40,000 square feet in area or bounded on all sides by streets, alleys, railroads, public lands, or physical barriers, the provisions of either subsection (d)(6) or (7) of this section shall apply, at the option of the applicant for a building permit.
    - b. *Small lots*. In the case of all other lots, the provisions of subsection (d) (6) of this section shall apply.
  - (6) Intensity of residential use; general option.
    - a. *Minimum lot area*. The minimum area of a lot for residential use shall be 6,000 square feet, subject to the provisions of NCC 36-544(g).
    - b. *Floor area ratio*. The ratio of floor area to lot area shall not exceed six-tenths (0.6).
    - c. Accessory buildings shall not cover more than 30 percent of the rear yard.
  - (7) *Intensity of residential use; large lot option.* 
    - a. The ratio of floor area to the land area of the site shall not exceed

- eight-tenths (0.8).
- b. The ratio of open space to floor area shall be at least 85 hundredths (0.85).
- c. The ratio of livability space to floor area shall be at least four-tenths (0.4).
- d. The ratio of recreation space to floor area shall be at least 95 thousandths (0.095).
- e. Accessory buildings shall not cover more than 30 percent of the rear vard.
- (8) *Intensity of mixed-uses*. The residential portion of a mixed building shall be subject to the intensity provisions of residential buildings. The ratio of the floor area of a mixed building to the area of the lot or the land area shall not exceed the following limits:
  - a. General option: 0.80.
  - b. Large lot option: 1.00.
- (9) Intensity of nonresidential uses.
  - a. *Floor area ratio*. The ratio of the floor area of a nonresidential building to the area of the lot or the land areas shall not exceed the following limits:
    - 1. General option: 1.00.
    - 2. Large lot option: 1.25.
- (10) *Impervious area*. The total amount of impervious area, including all buildings and permanently paved areas shall not cover more than 65 percent of a lot. Paving for parking as required in NCC 36-548, including other impervious surfaces, shall not cover more than 50 percent of the required ten-foot front yard, and comply with NCC 36-550(a)(3). Total impervious area of the front yard can be increased to 70 percent when one or more of the following circumstances occur:
  - a. The driveway is needed to access a garage for three or more cars;
  - b. The driveway is part of a circular driveway that includes a landscaped separation from the sidewalk; or
  - c. The driveway is located on a cul-de-sac lot with lot frontage of less than 40 feet.
- (11) *Duplexes*. Within the Central Core Area of the City (see map exhibit to NCC 36-550), any two-family (duplex) structure with four or more bedrooms per unit is required to be sprinkled per the requirement in section P2904 of the International Residential Code (IRC) or NFPA 13D, or as these documents are amended.
- (e) Height regulations.
  - (1) In the RO district there shall be no limit on height of structures, provided that any portion of a structure exceeding 35 feet in height is set back from side and rear lot lines abutting other property in residential districts at least one-third foot for each additional foot of height.

- (2) Any accessory building shall not exceed a wall height of ten feet unless the required side and rear yard setbacks are increased by one foot for each additional foot of wall height above ten feet; provided, however, that no accessory building shall exceed the height of the principal building to which it is accessory.
- (f) *Plot plans required*. A plot plan shall be submitted with each application of rezoning of land to the RO district. Such plot plans shall reflect as a minimum the information set forth in NCC 36-571(e).

(Ord. No. 2244, 1-27-1970; Ord. No. O-7778-60, 5-2-1978; Ord. No. O-7778-68, 10-3-1978; Ord. No. O-8182-41, 2-9-1982; Ord. No. O-1961; Ord. No. O-8485-22, 10-23-1984; Ord. No. O-8990-42; Ord. No. O-9293-38; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-9697-6, 8-27-1996; Ord. No. O-0708-36, 4-22-2008; Ord. No. O-1718-47, 7-26-2018; Ord. No. O-1718-51, 8-23-2018; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020)

**SECTION 2:** <u>AMENDMENT</u> "36-524 C-1, Local Commercial District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

#### 36-524 C-1, Local Commercial District

- (a) General description. This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. It is anticipated that this district will be the predominately used commercial district in the community. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational, and educational elements, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in other commercial districts.
- (b) *Uses permitted*. Property and buildings in a C-1, Local Commercial District shall be used only for the following purposes:
  - (1) Any use permitted in CO, except for medical marijuana testing laboratories, as set forth in NCC 36-523(a)(4).
  - (2) The following uses shall be permitted, provided that no individual use shall exceed a gross floor area of 35,000 square feet and that no outdoor storage or display of materials or goods is permitted:
    - a. Antique shop.
    - b. Appliance store.
    - c. Artist materials supply, or studio.
    - d. Automobile parking lots.

- e. Automobile supply store.
- f. Baby shop.
- g. Bakery goods store.
- h. Bank.
- i. Barber shop, or beauty parlor.
- j. Book or stationery store.
- k. Camera shop.
- 1. Candy store.
- m. Catering establishment.
- n. Childcare establishment.
- o. Clothing or apparel store.
- p. Dairy products or ice cream store.
- q. Delicatessen store.
- r. Dress shop.
- s. Drug store or fountain.
- t. Dry-cleaning and laundry plant with no more than three dry-cleaning machines and/or laundry pick-up station.
- u. Dry goods store.
- v. Fabric or notion store.
- w. Florist.
- x. Furniture store.
- y. Gift shop.
- z. Grocery or supermarket.
- aa. Hardware store.
- ab. Hotel or motel.
- ac. Interior decorating store.
- ad. Jewelry shop.
- ae. Key shop.
- af. Leathergoods shop.
- ag. Medical marijuana dispensary, as allowed by State law.
- ah. Messenger or telegraph service.
- ai. Office business.
- aj. Outdoor or indoor courts for handball, racquet ball, tennis, or sports activity of a similar nature (lighted outdoor courts shall not to be operated later in the evening than 10:00 p.m. and lighting must be arranged to direct light away from any adjoining property in a residential district).
- ak. Painting and decorating shop.
- al. Pet shop.
- am. Pharmacy.
- an. Photographer's studio.
- ao. Radio and television sales and service.
- ap. Restaurant. A restaurant may include live entertainment and/or a

dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.

- aq. Retail spirits store.
- ar. Self-service laundry.
- as. Sewing machine sales.
- at. Sporting goods sales.
- au. Shoe store or repair shop.
- av. Tailor shop.
- aw. Theater (excluding drive-in theaters), including one that sells alcoholic beverages in compliance with State law.
- ax. Tier I medical marijuana processor, as allowed by State law.
- ay. Tier II medical marijuana processor, as allowed by State law.
- az. Toy store.
- (3) Any other retail store, shop or establishment serving the neighborhood in the manner Stated above which in the opinion of the Planning Commission is similar in character to those above-enumerated and is not more obnoxious or detrimental to the area in which it is located, by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion or danger to life and property.
- (4) Name plate and sign relating only to the use of the store and premises or products sold on the premises.
- (5) Accessory buildings used primarily for any of the above-enumerated purposes may not have more than 40 percent of the floor area devoted to purposes incidental to such primary use.
- (6) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.
  - Note: The following uses are specifically prohibited: Laundry and drycleaning establishments where cleaning or laundering is done on premises, major auto repairs, and manufacturing.
- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Emergency medical transportation services.
  - (2) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
    - a. Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
    - b. Facilities shall meet all applicable State and federal requirements for incineration equipment and shall be licensed at all times.
    - c. All storage shall be inside.
    - d. Incinerator stacks shall not be located on the front side of the roof of

any structure facing the street.

- (3) Mixed building in which one or more dwelling units may be located on the second floor, provided that:
  - a. First floor use is a permitted use in the district;
  - b. Only two-story structures are involved;
  - c. The minimum area of a lot shall be 6,000 square feet;
  - d. The ratio of floor area to lot area shall not exceed six-tenths (0.6).
- (4) Automobile service station.
- (5) Any use listed in subsection (b)(2) of this section which exceeds a gross floor area of 35,000 square feet.
- (6) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
- (7) Municipal use, public buildings and public utility.
- (8) Medical marijuana education facility, as allowed by State law.
- (9) Medical marijuana research facility, as allowed by State law.
- (10) Medical marijuana testing laboratory, as allowed by State law.
- (11) Tier III medical marijuana processor, as allowed by State law.
- (d) Area requirements.
  - (1) Front yard. A 25-foot setback is required for all buildings. Across the entire front of all lots (and the street side of any corner lot) in plats filed after November 7, 2005, a minimum ten-foot landscape strip shall be installed, which may not be encroached upon by parking. One eight-foot-tall shade (canopy) tree per each 20 feet of lot frontage and one three-gallon shrub per five feet of building frontage shall be installed within this landscape strip. Clustering of these required plantings may be allowed, if approved by the City Forester or his designee. Such planting should be covered by the three-year maintenance bond required when new landscaping is installed with the parking lot on the same tract. All species are to be approved by the City Forester.
  - (2) Side yard.
    - a. For uses other than dwelling, no side yard shall be required except on the side of a lot adjoining a dwelling district in which case there shall be a side yard of not less than five feet.
    - b. Whenever the rear lot line of a corner lot of a local business district abuts a dwelling district, the side yard setback adjacent to the street shall be 15 feet.
  - (3) Rear yard. Rear yard shall not be required for retail establishments; except where a rear lot line abuts upon a dwelling district and the commercial building is designed to be serviced from the rear, there shall be provided a rear yard of not less than 30 feet for lots without alleys and 20 feet for lots with alleys; and further, provided that in no case where the rear lot lines abut a dwelling district shall the commercial building be erected closer than three feet

to the rear lot line.

(e) *Height regulations*. Except, as provided in NCC 36-546, no building shall exceed 2 1/2 stories or 35 feet in height.

(Ord. No. O-8485-62, 2-5-1985; Ord. No. O-8485-89, 6-11-1985; Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9192-18, 11-12-1991; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-9697-51, 6-10-1997; Ord. No. O-0102-26, 3-12-2002; Ord. No. O-0102-51, 6-25-2002; Ord. No. O-0203-46, 5-27-2003; Ord. No. O-0304-29, 10-28-2003; Ord. No. O-0405-60, 9-27-2005; Ord. No. O-1314-13, 11-22-2013; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1718-51, 8-23-2018; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020; Ord. No. O-1920-45, 7-23-2020; Ord. No. O-1971)

**SECTION 3:** <u>AMENDMENT</u> "36-526 TC, Tourist Commercial District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

36-526 TC, Tourist Commercial District

- (a) General description. This district is intended to accommodate the grouping of those commercial activities necessary to supply the normal needs of tourists, and to protect these against other incompatible commercial uses. This district is intended to be located in defined areas and will be permitted at the intersection of primary arterials or highways and section line roads east of 72nd Avenue East which serve as the primary entrances of major public recreational areas. For the purpose of this chapter, only State Highway No. 9, Alameda Drive, and 120th Avenue North shall be designated as primary entrances to major public recreational areas.
- (b) Uses permitted.
  - (1) Any of the following uses:
    - a. Amusement enterprises.
    - b. Boat and marine sales and service.
    - c. Cafeteria or restaurant.
    - d. Drive-in restaurant.
    - e. Dry dock boat storage.
    - f. Gift, novelty or souvenir store.
    - g. Hotel, motel, tourist court.
    - h. Ice dispensing machine (and other outdoor-type automatic vending machines).
    - i. Medical Marijuana Dispensary, as allowed by State law.
    - j. Miniature golf course.
    - k. Offices accessory to main use.

- 1. Parks or playgrounds.
- m. Parking lot or structure, non-commercial accessory to and within 200 feet.
- n. Pre-packaged food store.
- o. Service station.
- p. Tier I medical marijuana processor, as allowed by State law.
- q. Tier II medical marijuana processor, as allowed by State law.
- r. Travel trailer court.
- s. Sporting goods store, including sale of live bait.
- t. Childcare center, as specified in NCC 36-566.
- u. Short-term rentals.
- (2) Any use which, in the opinion of the Planning Commission, would be similar in character to those above-enumerated and is not more obnoxious or detrimental to the area in which it is located, by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion or danger to life and property than those uses enumerated above.
- (3) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.
- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Any permitted use in NCC 36-526(b) which exceeds 35 feet in height.
  - (2) Live entertainment venue.
  - (3) Laundry, self service, in conjunction with travel trailer court.
  - (4) Nightclub or tavern.
  - (5) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
  - (6) Municipal use, public buildings and public utility.
- (d) Area regulations.
  - (1) *Front yard*. The minimum front yard shall be 50 feet or 100 feet from the center line of the public street or road, whichever distance shall be the greater.
  - (2) *Side yard*. The minimum side yard shall be 25 feet.
  - (3) Rear yard. The minimum rear yard shall be 50 feet.
  - (4) *Lot width*. The minimum lot width shall be 150 feet measured at the front building line.
- (e) *Height regulations*. Except, as provided in NCC 36-546, or 36-526(c), no building shall exceed 35 feet in height.
- (f) Special provisions.
  - (1) There shall be no outdoor storage, display, or use within any required front, side or rear yard setback other than parking, loading and unloading, and landscaping.
  - (2) Off-street parking requirements shall be the standards prescribed in NCC 36-

548.

(Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020; Ord. No. O-1920-45, 7-23-2020; Ord. No. O-0102-51)

**SECTION 4:** <u>AMENDMENT</u> "36-527 CR, Rural Commercial District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

# 36-527 CR, Rural Commercial District

- (a) General description. This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and convenience of rural residents. It is anticipated that this district will be the predominately used commercial district in rural Norman. It is intended that this zoning district be located at the intersection of improved section line roads.
- (b) *Uses permitted*. Property and buildings in a CR, Rural Commercial District shall be used only for the following purposes:
  - (1) No individual use shall exceed a gross floor area of 35,000 square feet:
    - a. Artist material supply, studio or hobby shop.
    - b. Automobile service station.
    - c. Bank.
    - d. Barber shop, or beauty parlor.
    - e. Childcare center.
    - f. Clothing and dry goods store.
    - g. Farm feed store.
    - h. Firewood sales.
    - i. Florist.
    - j. Grocery or supermarket.
    - k. Hardware store.
    - 1. Key shop.
    - m. Medical marijuana dispensary, as allowed by State law.
    - n. Office building and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse. Funeral homes and mortuaries shall not be considered professional services permitted in this district.

- o. Pharmacy.
- p. Plant nursery.
- q. News stand and tobacco store.
- r. Restaurant.
- s. Retail spirits store.
- t. Shoe store or repair shop.
- u. Tier I medical marijuana processor, as allowed by State law.
- v. Tier II medical marijuana processor, as allowed by State law.
- (2) Any uses which, in the opinion of the Planning Commission, would be similar in character to those above-enumerated and is not more obnoxious or detrimental to the area in which it is located, by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion, or danger to life and property than those uses enumerated above.
- (3) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.
- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Any use listed in NCC 36-527(b)(1) which exceeds a gross floor area of 35,000 square feet.
  - (2) Any use listed in NCC 36-527(b)(1) which exceeds 35 feet in height.
  - (3) Automobile sales and service.
  - (4) Boat sales and services.
  - (5) Farm implement sales and service.
  - (6) Theater, indoor, including one that sells alcoholic beverages in compliance with State law.
  - (7) Veterinary hospital.
  - (8) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
  - (9) Municipal use, public buildings and public utility.
  - (10) Medical marijuana commercial grower, as allowed by State law.
  - (11) Medical marijuana education facility (cultivation activities only), as allowed by State law.
- (d) Area regulations.
  - (1) *Front yard*. The minimum front yard shall be 50 feet or 100 feet from the center line of the public street or road, whichever distance shall be the greater.
  - (2) Side yard. The minimum side yard shall be 25 feet.
  - (3) Rear yard. The minimum rear yard shall be 50 feet.
  - (4) *Lot width*. The minimum lot width shall be 150 feet measured at the front building line.
- (e) *Height regulations*. Except, as provided in NCC 36-546 or 36-527(c), no building shall exceed 35 feet in height.

(Ord. No. O-8485-32; Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1718-51, 8-23-2018; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020)

**SECTION 5:** <u>AMENDMENT</u> "36-560 Special Uses" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

36-560 Special Uses

Any use designated as a special use under any zoning district is not appropriate for each and every parcel of land which is included in the pertinent zoning district. However, upon review, the City Council may determine that one or more special uses should be approved for a specific parcel of land. Such approval, by ordinance duly adopted by the City Council, may come after a public notice and a hearing by the Planning Commission. Any such approval may be made conditional on the subject parcel of land meeting and maintaining specific requirements and/or conditions.

- (a) *Application and fee*. Application for a special use shall be filed with the Director of Planning and Community Development Department. The application shall include the following:
  - (1) Name and address of the owner, and also applicant if different from the owner. (The City may initiate the application.)
  - (2) Address and legal description of the property.
  - (3) If the applicant is not the legal owner of the property, a statement that the applicant is either the authorized agent for the owner of the property or has a lawful right to acquire use and possession of the property.
  - (4) A statement describing the nature and operating characteristics of the proposed special uses. For uses potentially generating high volumes of vehicular traffic, the Director may require specific information relative to the anticipated peak loads and peak use periods, the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.
  - (5) A site plan, drawn to scale, showing the location and dimensions of boundary lines, with distances and bearings, easements, required yards and setbacks, and all existing and proposed buildings, parking and loading areas, ingress and egress, the location of existing and proposed landscaped areas, utility or service areas, fencing and screening, signs and lighting.
  - (6) Application for a special use and for rezoning for the same property may be made concurrently, subject to the fees applicable to both a special use and rezoning. The Planning Commission shall hold the public hearing on the

rezoning and the special uses at the same meeting and may combine the two hearings. If the City Council modifies a recommendation of the Commission on a concurrent zoning reclassification, the special uses application may, if the City Council deems it necessary, be referred back to the Planning Commission in the same manner as a new application; provided, however, that no additional fee shall be required.

- (7) A filing fee of \$400.00, plus \$10.00 per acre.
- (8) In order to properly evaluate the proposed special uses, the Planning Director may require the following additional information:
  - a. Preliminary building elevations for all new or renovated structures, indicating height, bulk, and general appearance.
  - b. Preliminary improvement plans for any alteration of existing watercourses or drainage features, proposed streets and alleys, and the location of the 100-year floodplain.
  - c. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.
- (b) *Review and evaluation criteria*. The Planning Commission shall review and evaluate any special use proposal and recommend to the City Council using the following criteria:
  - (1) Conformance with applicable regulations and standards established by this article.
  - (2) Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
  - (3) Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (Note: Throughout this section, the term "permitted use" means any use authorized as a matter of right under the applicable zoning district.)
  - (4) Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
  - (5) Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed special use and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
  - (6) That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed special use with existing or permitted uses in the surrounding area.
- (c) Planning commission hearing and recommendation. The Planning Commission shall

hold a public hearing on each application for a special use. Public notification requirements shall be the same as a rezoning procedure. At the public hearing, the Commission shall review the application and shall receive public comments concerning the proposed use and the proposed conditions under which it would be operated or maintained. The Planning Commission may recommend that the City Council establish conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; and such other conditions as the Commission may deem necessary to ensure compatibility with surrounding uses, and to preserve the public health, safety, and welfare.

- (d) *City Council approval*. Granting a special use shall be considered a privilege bestowed by the City Council for a specific use at a specific location. Special uses may be granted by the City Council with such requirements and/or conditions, as the Council deems appropriate. Such requirements and/or conditions shall be continually complied with by the applicant and his successors and assigns. At the time of issuance of a certificate of occupancy for the initial operation of a special use, the City shall cause the property legal description and conditions of approval established by the City Council to be filed in the Tract Index of the County Clerk's office. Prior to such filing, the applicant shall be afforded an opportunity to review the instrument to be filed, for correctness.
- (e) *Violations*. For any reason, if any requirement or condition specified in the authorizing special use ordinance is violated, said violation constitutes a violation of this chapter and subjects the violator to the fines and penalties contained herein. Further, such a violation constitutes grounds for the City Council to remove or amend, by ordinance, the previously authorized special use and any concurrent rezoning.
  - (1) If it is determined by the Planning Director or the City Manager that there is a violation of any applicable provision of this section, or a failure to comply with conditions imposed by any special use ordinance on the property, then the Planning Director or the City Manager may initiate any or all of the following actions to remedy the situation, including:
    - a. Specify the nature and extent of any such violations and specify reasonable time to correct such violations;
    - b. Report such violations to the Code Enforcement Official and initiate action in the same manner as any other violation of this chapter;
    - c. Schedule a public hearing before the City Council to review such matter and consider revocation, by ordinance, of the granting of a special use for said property.
  - (2) Whenever any one or more of the foregoing actions is initiated, notice shall be given to the property owner of record by any means then authorized by the

State Pleading Code for service of summons in a civil action. Further, if the property is occupied, such notice shall also be given, by first-class mail or hand-delivery, addressed to "Tenant, Owner, or Manager" at the property address.

- (f) Expiration for non-use.
  - (1) The authority to issue initial construction or initial occupancy permits pursuant to the granting of a special use shall expire two years after the City Council approves the special use, unless the City Council includes a different time limit as a specific condition of approval. This time period to initially establish a special use may be extended for a maximum of an additional two years by action of the City Council, upon receipt of a timely request from the owner of said property, when it determines that conditions have not substantially changed since the time of original approval.
  - (2) In any case where the special use is not activated in accordance with the times specified in the preceding section, or where the special use has been discontinued for two continuous years, then authority for such a special use ceases to exist and the owner must reapply in order to establish or re-establish said special use.
- (g) Change of ownership. A special use may be transferred to a new owner provided:
  - (1) Written notification is sent to the Planning Director indicating date of transfer, name and address of new owner, and a statement acknowledging any conditions attached to the special use and the intent to continuously comply;
  - (2) A transfer fee is paid; and
  - (3) An inspection of the property reveals continued compliance with all original conditions.
- (h) Special uses which were formerly described as uses permitted on review or conditional use permits.
  - (1) A use legally established pursuant to a conditional use permit or permissive use rezoning prior to the date of adoption of these zoning regulations shall be deemed pre-existing and, shall be permitted to continue, provided that it is operated and maintained in accordance with any conditions prescribed at the time of its establishment. If such a structure is destroyed by fire, explosions, or act of God, it may be rebuilt, if compliance with all conditions stipulated in its enabling ordinance are complied with.
  - (2) Expansion of a pre-existing permissive use or conditional use permit shall be permitted only upon the granting of a special use as prescribed in these regulations.
- (i) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Section which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.

(Ord. No. O-9596-11, 10-24-1995)

**SECTION 6:** <u>ADOPTION</u> "36-567.1 Restrictions On Tobacco And E-Cigarette Retailers" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

36-567.1 Restrictions On Tobacco And E-Cigarette Retailers(Added)

- (a) Definitions. For the purposes of this Subsection only, the following meanings shall apply:
  - (1) School means any property, building, permanent structure, facility, auditorium, stadium, arena or recreational facility owned, leased or under the control of a public school district or private school or any educational facility that is accredited by the state of Oklahoma.
    - a. School shall include all licensed childcare facilities, kindergartens, elementary schools, which may include either K-6 or K-8, and all secondary schools
    - b. School shall include any institution within the Oklahoma State System of Higher Education or any other public or private college or university that is accredited by a national accrediting body.
  - (2) Playgrounds means any area used for outdoor play or recreation, especially by children, and often containing recreational equipment such as slides and swings.
  - (3) Tobacco product means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also means electronic smoking devices and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and liquids used in electronic smoking devices, whether or not they contain nicotine. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
  - (4) Electronic smoking device means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices,

or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

- (b) A business license issued by the City of Norman shall only be located or operated at locations permitted by the City's zoning or planning laws. The location of a tobacco or e-cigarette store is specifically prohibited within three hundred feet (300') of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age. The distance shall be measured as the shortest straight line distance from the property line of the proposed tobacco or e-cigarette store to the property line of the entities listed below:
  - (1) Public or Private School
  - (2) Playgrounds
  - (3) Facility used primarily by persons under twenty-one (21) years of age
- (c) Legal Non-conforming Use. Current license tobacco or e-cigarette store(s) within three hundred feet (300') of the above described locations are permitted to continue operations despite this amendment to the zoning ordinance. If a current license tobacco/ or e-cigarette store is sold, then the new owner would no longer be able to use the legal non-conforming use to obtain a license.

**SECTION 7: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

<b>SECTION 8:</b>	<b>EFFECTIVE</b>	<b>DATE</b> This Ordinance	shall be in full force and
effect from an	d after the required a	approval and publication	according to law.
PASSED AND ADOPT	ED BY THE CITY	OF NORMAN CITY C	COUNCIL
AYE	NAY	ABSENT	ABSTAIN
Presiding Officer		Attest	
Larry Heikkila, Mayor, City of Norman		Brenda Hall, City Clerk, City of Norman	

# CITY OF NORMAN ORDINANCE 0-2425-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 36-567.1 ("RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS") TO CHAPTER 36 ("ZONING ORDINANCE"); AND AMENDING SECTIONS 36-521 ("RO, RESIDENCE-OFFICE DISTRICT"), 36-524 ("C-1, LOCAL COMMERCIAL DISTRICT"), 36-526 ("TC, TOURIST COMMERCIAL DISTRCT"), 36-527 ("CR, RURAL COMMERCIAL DISTRICT"), AND 36-560 ("SPECIAL USES") TO CHAPTER 36 ("ZONING ORDINANCE") OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH RESTRICTIONS ON TOBACCO AND E-CIGARETTE RETAILERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**WHEREAS**, WHEREAS, in an effort to protect our youth from the negative health effects of tobacco, nicotine or vapor products, the State of Oklahoma has prohibited the sale, distribution or possession of tobacco, nicotine or vapor products for anyone under the age of twenty-one (21) years of age; and

WHEREAS, WHEREAS, the City of Norman, pursuant to 63 O.S. § 1-229.18, is authorized to enact laws prohibiting the distribution of tobacco, nicotine, and vapor products and product samples within three hundred (300) feet of any playground, school, or other facility when it is being used primarily by persons under twenty-one (21); and

**WHEREAS,** WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma's regulations promulgated to control youth access to tobacco by adopting Ordinance O-2425-10.

**NOW THEREFORE,** be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "36-521 RO, Residence-Office District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

#### 36-521 RO, Residence-Office District

- (a) *Purposes*. The RO district is designed to provide areas for high density residential development; limited offices, convenience goods stores, and personal service establishments in conjunction with residential uses; primarily in the vicinity of the campus business district.
- (b) *Uses permitted*. Property and buildings in the RO district shall be used only for the following purposes:

- (1) Any uses permitted in the RM-6 district; provided, however, that the minimum yards established for certain uses in NCC 36-517(b)(2), shall be 20 feet.
- (2) Any use permitted in the R-3 district.
- (3) Artist and photographer studio, but not including the processing of film for others.
- (4) Medical or dental clinic or laboratory.
- (5) Office of non-profit association.
- (6) Office of such professional person as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicists, linguist, landscape architect, optometrist without sales, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse.
- (7) Prescription pharmacy (only when provided in conjunction with subsection (b)(4) of this section).
- (8) Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot.
- (9) Convenience goods and services as follows but only in conjunction with residential uses in a mixed building as qualified below:
  - a. Convenience goods stores, similar to the following uses:
    - 1. Drugstore or proprietary store;
    - 2. Florist:
    - 3. Food store, including bakery (retail only);
    - 4. Gift, novelty, or souvenir shop;
    - 5. Hardware store;
    - 6. Ice vending establishment;
    - 7. Limited price variety store;
    - 8. Newsstand;
    - 9. Paint, glass, or wallpaper store;
    - 10. Retail spirits store;
    - 11. Tobacco store.
  - b. Personal service establishments, similar to the following uses:
    - 1. Barber shop;
    - 2. Custom dressmaker, milliner, or tailor;
    - 3. Dry-cleaning pickup or self-service;
    - 4. Dry-cleaning plant limited to 7,000 square feet of floor area;
    - 5. Hat cleaning or repair shop;
    - 6. Laundry pickup or self-service;
    - 7. Optician or optometrist;
    - 8. Pressing, alteration, or garment repair;
    - 9. Shoeshine or repair shop.
  - c. In the case of a mixed building, the floor area devoted to nonresidential uses shall not exceed one-third of the floor area devoted to residential uses; in calculating such ratio, common areas serving both residential and nonresidential areas shall be excluded.
- (10) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under

this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.

- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Direct mail business.
  - (2) Municipal use, public building and public utility.
  - (3) Public or private golf courses, including any country clubs, club houses, or any accessory commercial enterprises.
  - (4) Church, temple or other place of worship.
  - (5) School offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.
  - (6) Type I bed and breakfast establishment.
  - (7) Type II bed and breakfast establishment.
  - (8) Childcare center, as specified in NCC 36-566.
  - (9) Library/museum.
  - (10) Off-street parking lot to be used as open space for vehicular parking, provided that such parking lot is adjacent to the land on which the principal use is located or separated therefrom only by a street or alley if the principal use is in the CO, C-1, C-2, C-3, I-1, I-2, R-1, R-2, or R-3 districts.
  - (11) Fraternal service organization not conducted for profit.
  - (12) Funeral parlor and mortuary.
  - (13) Pre-packaged food store and toiletries within apartment buildings or complexes wherein there are a minimum of 150 dwelling units, provided that:
    - a. Such store is limited to the main floor or below of the building in which it is located;
    - b. There is no direct entrance thereto from any public street, sidewalk or other public way;
    - c. No part of such store, or its entrance, is visible from any public way, street or sidewalk;
    - d. That such store shall not be advertised in any manner;
    - e. In reviewing any application for permission to establish and operate any such store in any apartment building or complex, the following matters shall be considered:
      - The proximity of other business or commercial districts, and whether or not the proposed store would constitute an independent commercial enterprise, as opposed to any accessory use to the tenants of the apartment complex;
      - 2. Service entrances for delivery vehicles and adequate space for the parking of customers;
      - 3. The size and character of the apartment building or complex since the tenants thereof will be expected to furnish substantially all of the financial support of such store.
    - f. Any ordinance hereafter enacted granting permission for the

establishment and operation of any pre-packaged food store after review, may set forth restrictions as to the space to be occupied, provisions for the automatic termination of permission for violations, and any other reasonable conditions which to the Commission may seem proper.

- (14) Medical marijuana dispensary, Tier I medical marijuana processor, or Tier II medical marijuana processor, as allowed by State law (only when in conjunction with residential uses in a mixed building).
- (d) *Area regulations*. Property and buildings in the RO district shall be subject to the following area regulations:
  - (1) Front yard. The minimum front yard shall be ten feet.
  - (2) *Side yards*. The minimum width of the side yard shall be five feet, except as required for tall buildings by the provisions of subsection (e) of this section.
  - (3) *Rear yard*. There shall be a rear yard of not less than ten feet; one-story unattached buildings of accessory use shall be set back one foot from the utility easement or alley line, and garage apartments shall be set back ten feet from the rear lot line.
  - (4) Lot width. There shall be a minimum lot width of 50 feet at the building line for a single-family dwelling or for a two-family dwelling, and ten feet additional width for each additional family occupying the lot. Such lot shall abut on a street not less than 35 feet.
  - (5) Intensity of residential use; options.
    - a. *Large lots*. In the case of a lot which is either at least 40,000 square feet in area or bounded on all sides by streets, alleys, railroads, public lands, or physical barriers, the provisions of either subsection (d)(6) or (7) of this section shall apply, at the option of the applicant for a building permit.
    - b. *Small lots*. In the case of all other lots, the provisions of subsection (d) (6) of this section shall apply.
  - (6) Intensity of residential use; general option.
    - a. *Minimum lot area*. The minimum area of a lot for residential use shall be 6,000 square feet, subject to the provisions of NCC 36-544(g).
    - b. *Floor area ratio*. The ratio of floor area to lot area shall not exceed six-tenths (0.6).
    - c. Accessory buildings shall not cover more than 30 percent of the rear yard.
  - (7) *Intensity of residential use; large lot option.* 
    - a. The ratio of floor area to the land area of the site shall not exceed eight-tenths (0.8).
    - b. The ratio of open space to floor area shall be at least 85 hundredths (0.85)
    - c. The ratio of livability space to floor area shall be at least four-tenths (0.4).
    - d. The ratio of recreation space to floor area shall be at least 95 thousandths (0.095).

- e. Accessory buildings shall not cover more than 30 percent of the rear yard.
- (8) *Intensity of mixed-uses*. The residential portion of a mixed building shall be subject to the intensity provisions of residential buildings. The ratio of the floor area of a mixed building to the area of the lot or the land area shall not exceed the following limits:
  - a. General option: 0.80.
  - b. Large lot option: 1.00.
- (9) Intensity of nonresidential uses.
  - a. *Floor area ratio*. The ratio of the floor area of a nonresidential building to the area of the lot or the land areas shall not exceed the following limits:
    - 1. General option: 1.00.
    - 2. Large lot option: 1.25.
- (10) *Impervious area*. The total amount of impervious area, including all buildings and permanently paved areas shall not cover more than 65 percent of a lot. Paving for parking as required in NCC 36-548, including other impervious surfaces, shall not cover more than 50 percent of the required ten-foot front yard, and comply with NCC 36-550(a)(3). Total impervious area of the front yard can be increased to 70 percent when one or more of the following circumstances occur:
  - a. The driveway is needed to access a garage for three or more cars;
  - b. The driveway is part of a circular driveway that includes a landscaped separation from the sidewalk; or
  - c. The driveway is located on a cul-de-sac lot with lot frontage of less than 40 feet.
- (11) *Duplexes*. Within the Central Core Area of the City (see map exhibit to NCC 36-550), any two-family (duplex) structure with four or more bedrooms per unit is required to be sprinkled per the requirement in section P2904 of the International Residential Code (IRC) or NFPA 13D, or as these documents are amended.
- (e) Height regulations.
  - (1) In the RO district there shall be no limit on height of structures, provided that any portion of a structure exceeding 35 feet in height is set back from side and rear lot lines abutting other property in residential districts at least one-third foot for each additional foot of height.
  - (2) Any accessory building shall not exceed a wall height of ten feet unless the required side and rear yard setbacks are increased by one foot for each additional foot of wall height above ten feet; provided, however, that no accessory building shall exceed the height of the principal building to which it is accessory.
- (f) *Plot plans required*. A plot plan shall be submitted with each application of rezoning of land to the RO district. Such plot plans shall reflect as a minimum the information set forth in NCC 36-571(e).

(Ord. No. 2244, 1-27-1970; Ord. No. O-7778-60, 5-2-1978; Ord. No. O-7778-68, 10-3-1978; Ord. No. O-8182-41, 2-9-1982; Ord. No. O-1961; Ord. No. O-8485-22, 10-23-1984; Ord. No. O-8990-42; Ord. No. O-9293-38; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-9697-6, 8-27-1996; Ord. No. O-0708-36, 4-22-2008; Ord. No. O-1718-47, 7-26-2018; Ord. No. O-1718-51, 8-23-2018; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020)

**SECTION 2:** <u>AMENDMENT</u> "36-524 C-1, Local Commercial District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### **AMENDMENT**

# 36-524 C-1, Local Commercial District

- (a) General description. This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. It is anticipated that this district will be the predominately used commercial district in the community. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational, and educational elements, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in other commercial districts.
- (b) *Uses permitted*. Property and buildings in a C-1, Local Commercial District shall be used only for the following purposes:
  - (1) Any use permitted in CO, except for medical marijuana testing laboratories, as set forth in NCC 36-523(a)(4).
  - (2) The following uses shall be permitted, provided that no individual use shall exceed a gross floor area of 35,000 square feet and that no outdoor storage or display of materials or goods is permitted:
    - a. Antique shop.
    - b. Appliance store.
    - c. Artist materials supply, or studio.
    - d. Automobile parking lots.
    - e. Automobile supply store.
    - f. Baby shop.
    - g. Bakery goods store.
    - h. Bank.
    - i. Barber shop, or beauty parlor.
    - j. Book or stationery store.
    - k. Camera shop.
    - 1. Candy store.
    - m. Catering establishment.
    - n. Childcare establishment.

- o. Clothing or apparel store.
- p. Dairy products or ice cream store.
- q. Delicatessen store.
- r. Dress shop.
- s. Drug store or fountain.
- t. Dry-cleaning and laundry plant with no more than three dry-cleaning machines and/or laundry pick-up station.
- u. Dry goods store.
- v. Fabric or notion store.
- w. Florist.
- x. Furniture store.
- y. Gift shop.
- z. Grocery or supermarket.
- aa. Hardware store.
- ab. Hotel or motel.
- ac. Interior decorating store.
- ad. Jewelry shop.
- ae. Key shop.
- af. Leathergoods shop.
- ag. Medical marijuana dispensary, as allowed by State law.
- ah. Messenger or telegraph service.
- ai. Office business.
- aj. Outdoor or indoor courts for handball, racquet ball, tennis, or sports activity of a similar nature (lighted outdoor courts shall not to be operated later in the evening than 10:00 p.m. and lighting must be arranged to direct light away from any adjoining property in a residential district).
- ak. Painting and decorating shop.
- al. Pet shop.
- am. Pharmacy.
- an. Photographer's studio.
- ao. Radio and television sales and service.
- ap. Restaurant. A restaurant may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with full food service whenever live entertainment is offered.
- aq. Retail spirits store.
- ar. Self-service laundry.
- as. Sewing machine sales.
- at. Sporting goods sales.
- au. Shoe store or repair shop.
- av. Tailor shop.
- aw. Theater (excluding drive-in theaters), including one that sells alcoholic beverages in compliance with State law.
- ax. Tier I medical marijuana processor, as allowed by State law.

- ay. Tier II medical marijuana processor, as allowed by State law. az. Toy store.
- (3) Any other retail store, shop or establishment serving the neighborhood in the manner Stated above which in the opinion of the Planning Commission is similar in character to those above-enumerated and is not more obnoxious or detrimental to the area in which it is located, by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion or danger to life and property.
- (4) Name plate and sign relating only to the use of the store and premises or products sold on the premises.
- (5) Accessory buildings used primarily for any of the above-enumerated purposes may not have more than 40 percent of the floor area devoted to purposes incidental to such primary use.
- (6) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.
  - Note: The following uses are specifically prohibited: Laundry and drycleaning establishments where cleaning or laundering is done on premises, major auto repairs, and manufacturing.
- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Emergency medical transportation services.
  - (2) Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
    - a. Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
    - b. Facilities shall meet all applicable State and federal requirements for incineration equipment and shall be licensed at all times.
    - c. All storage shall be inside.
    - d. Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
  - (3) Mixed building in which one or more dwelling units may be located on the second floor, provided that:
    - a. First floor use is a permitted use in the district;
    - b. Only two-story structures are involved;
    - c. The minimum area of a lot shall be 6,000 square feet;
    - d. The ratio of floor area to lot area shall not exceed six-tenths (0.6).
  - (4) Automobile service station.
  - (5) Any use listed in subsection (b)(2) of this section which exceeds a gross floor area of 35,000 square feet.
  - (6) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
  - (7) Municipal use, public buildings and public utility.
  - (8) Medical marijuana education facility, as allowed by State law.

- (9) Medical marijuana research facility, as allowed by State law.
- (10) Medical marijuana testing laboratory, as allowed by State law.
- (11) Tier III medical marijuana processor, as allowed by State law.
- (d) Area requirements.
  - (1) Front yard. A 25-foot setback is required for all buildings. Across the entire front of all lots (and the street side of any corner lot) in plats filed after November 7, 2005, a minimum ten-foot landscape strip shall be installed, which may not be encroached upon by parking. One eight-foot-tall shade (canopy) tree per each 20 feet of lot frontage and one three-gallon shrub per five feet of building frontage shall be installed within this landscape strip. Clustering of these required plantings may be allowed, if approved by the City Forester or his designee. Such planting should be covered by the three-year maintenance bond required when new landscaping is installed with the parking lot on the same tract. All species are to be approved by the City Forester.
  - (2) Side yard.
    - a. For uses other than dwelling, no side yard shall be required except on the side of a lot adjoining a dwelling district in which case there shall be a side yard of not less than five feet.
    - b. Whenever the rear lot line of a corner lot of a local business district abuts a dwelling district, the side yard setback adjacent to the street shall be 15 feet.
  - (3) Rear yard. Rear yard shall not be required for retail establishments; except where a rear lot line abuts upon a dwelling district and the commercial building is designed to be serviced from the rear, there shall be provided a rear yard of not less than 30 feet for lots without alleys and 20 feet for lots with alleys; and further, provided that in no case where the rear lot lines abut a dwelling district shall the commercial building be erected closer than three feet to the rear lot line.
- (e) *Height regulations*. Except, as provided in NCC 36-546, no building shall exceed 2 1/2 stories or 35 feet in height.

(Ord. No. O-8485-62, 2-5-1985; Ord. No. O-8485-89, 6-11-1985; Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9192-18, 11-12-1991; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-9697-51, 6-10-1997; Ord. No. O-0102-26, 3-12-2002; Ord. No. O-0102-51, 6-25-2002; Ord. No. O-0203-46, 5-27-2003; Ord. No. O-0304-29, 10-28-2003; Ord. No. O-0405-60, 9-27-2005; Ord. No. O-1314-13, 11-22-2013; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1718-51, 8-23-2018; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020; Ord. No. O-1920-45, 7-23-2020; Ord. No. O-1971)

**SECTION 3:** <u>AMENDMENT</u> "36-526 TC, Tourist Commercial District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

#### 36-526 TC, Tourist Commercial District

- (a) General description. This district is intended to accommodate the grouping of those commercial activities necessary to supply the normal needs of tourists, and to protect these against other incompatible commercial uses. This district is intended to be located in defined areas and will be permitted at the intersection of primary arterials or highways and section line roads east of 72nd Avenue East which serve as the primary entrances of major public recreational areas. For the purpose of this chapter, only State Highway No. 9, Alameda Drive, and 120th Avenue North shall be designated as primary entrances to major public recreational areas.
- (b) Uses permitted.
  - (1) Any of the following uses:
    - a. Amusement enterprises.
    - b. Boat and marine sales and service.
    - c. Cafeteria or restaurant.
    - d. Drive-in restaurant.
    - e. Dry dock boat storage.
    - f. Gift, novelty or souvenir store.
    - g. Hotel, motel, tourist court.
    - h. Ice dispensing machine (and other outdoor-type automatic vending machines).
    - i. Medical Marijuana Dispensary, as allowed by State law.
    - j. Miniature golf course.
    - k. Offices accessory to main use.
    - l. Parks or playgrounds.
    - m. Parking lot or structure, non-commercial accessory to and within 200 feet.
    - n. Pre-packaged food store.
    - o. Service station.
    - p. Tier I medical marijuana processor, as allowed by State law.
    - q. Tier II medical marijuana processor, as allowed by State law.
    - r. Travel trailer court.
    - s. Sporting goods store, including sale of live bait.
    - t. Childcare center, as specified in NCC 36-566.
    - u. Short-term rentals.
  - (2) Any use which, in the opinion of the Planning Commission, would be similar in character to those above-enumerated and is not more obnoxious or detrimental to the area in which it is located, by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion or danger to life and property than those uses enumerated above.
  - (3) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on

# Tobacco and E-cigarette Retailers.

- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Any permitted use in NCC 36-526(b) which exceeds 35 feet in height.
  - (2) Live entertainment venue.
  - (3) Laundry, self service, in conjunction with travel trailer court.
  - (4) Nightclub or tavern.
  - (5) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
  - (6) Municipal use, public buildings and public utility.
- (d) Area regulations.
  - (1) *Front yard*. The minimum front yard shall be 50 feet or 100 feet from the center line of the public street or road, whichever distance shall be the greater.
  - (2) Side yard. The minimum side yard shall be 25 feet.
  - (3) Rear yard. The minimum rear yard shall be 50 feet.
  - (4) *Lot width*. The minimum lot width shall be 150 feet measured at the front building line.
- (e) *Height regulations*. Except, as provided in NCC 36-546, or 36-526(c), no building shall exceed 35 feet in height.
- (f) Special provisions.
  - (1) There shall be no outdoor storage, display, or use within any required front, side or rear yard setback other than parking, loading and unloading, and landscaping.
  - (2) Off-street parking requirements shall be the standards prescribed in NCC 36-548.

(Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020; Ord. No. O-1920-45, 7-23-2020; Ord. No. O-0102-51)

**SECTION 4:** <u>AMENDMENT</u> "36-527 CR, Rural Commercial District" of the City of Norman Municipal Code is hereby *amended* as follows:

#### **AMENDMENT**

# 36-527 CR, Rural Commercial District

- (a) *General description*. This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and convenience of rural residents. It is anticipated that this district will be the predominately used commercial district in rural Norman. It is intended that this zoning district be located at the intersection of improved section line roads.
- (b) Uses permitted. Property and buildings in a CR, Rural Commercial District shall be

# used only for the following purposes:

- (1) No individual use shall exceed a gross floor area of 35,000 square feet:
  - a. Artist material supply, studio or hobby shop.
  - b. Automobile service station.
  - c. Bank.
  - d. Barber shop, or beauty parlor.
  - e. Childcare center.
  - f. Clothing and dry goods store.
  - g. Farm feed store.
  - h. Firewood sales.
  - i. Florist.
  - j. Grocery or supermarket.
  - k. Hardware store.
  - l. Key shop.
  - m. Medical marijuana dispensary, as allowed by State law.
  - n. Office building and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist, physician or surgeon, or registered nurse. Funeral homes and mortuaries shall not be considered professional services permitted in this district.
  - o. Pharmacy.
  - p. Plant nursery.
  - q. News stand and tobacco store.
  - r. Restaurant.
  - s. Retail spirits store.
  - t. Shoe store or repair shop.
  - u. Tier I medical marijuana processor, as allowed by State law.
  - v. Tier II medical marijuana processor, as allowed by State law.
- (2) Any uses which, in the opinion of the Planning Commission, would be similar in character to those above-enumerated and is not more obnoxious or detrimental to the area in which it is located, by reason of noise, offensive odor, smoke, dust, vibration, traffic congestion, or danger to life and property than those uses enumerated above.
- (3) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Subsection which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.
- (c) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:
  - (1) Any use listed in NCC 36-527(b)(1) which exceeds a gross floor area of 35,000 square feet.
  - (2) Any use listed in NCC 36-527(b)(1) which exceeds 35 feet in height.
  - (3) Automobile sales and service.

- (4) Boat sales and services.
- (5) Farm implement sales and service.
- (6) Theater, indoor, including one that sells alcoholic beverages in compliance with State law.
- (7) Veterinary hospital.
- (8) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
- (9) Municipal use, public buildings and public utility.
- (10) Medical marijuana commercial grower, as allowed by State law.
- (11) Medical marijuana education facility (cultivation activities only), as allowed by State law.
- (d) Area regulations.
  - (1) *Front yard*. The minimum front yard shall be 50 feet or 100 feet from the center line of the public street or road, whichever distance shall be the greater.
  - (2) Side yard. The minimum side yard shall be 25 feet.
  - (3) Rear yard. The minimum rear yard shall be 50 feet.
  - (4) *Lot width*. The minimum lot width shall be 150 feet measured at the front building line.
- (e) *Height regulations*. Except, as provided in NCC 36-546 or 36-527(c), no building shall exceed 35 feet in height.

(Ord. No. O-8485-32; Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1718-51, 8-23-2018; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020)

**SECTION 5:** <u>AMENDMENT</u> "36-560 Special Uses" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

36-560 Special Uses

Any use designated as a special use under any zoning district is not appropriate for each and every parcel of land which is included in the pertinent zoning district. However, upon review, the City Council may determine that one or more special uses should be approved for a specific parcel of land. Such approval, by ordinance duly adopted by the City Council, may come after a public notice and a hearing by the Planning Commission. Any such approval may be made conditional on the subject parcel of land meeting and maintaining specific requirements and/or conditions.

(a) *Application and fee*. Application for a special use shall be filed with the Director of Planning and Community Development Department. The application shall include the following:

- (1) Name and address of the owner, and also applicant if different from the owner. (The City may initiate the application.)
- (2) Address and legal description of the property.
- (3) If the applicant is not the legal owner of the property, a statement that the applicant is either the authorized agent for the owner of the property or has a lawful right to acquire use and possession of the property.
- (4) A statement describing the nature and operating characteristics of the proposed special uses. For uses potentially generating high volumes of vehicular traffic, the Director may require specific information relative to the anticipated peak loads and peak use periods, the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.
- (5) A site plan, drawn to scale, showing the location and dimensions of boundary lines, with distances and bearings, easements, required yards and setbacks, and all existing and proposed buildings, parking and loading areas, ingress and egress, the location of existing and proposed landscaped areas, utility or service areas, fencing and screening, signs and lighting.
- (6) Application for a special use and for rezoning for the same property may be made concurrently, subject to the fees applicable to both a special use and rezoning. The Planning Commission shall hold the public hearing on the rezoning and the special uses at the same meeting and may combine the two hearings. If the City Council modifies a recommendation of the Commission on a concurrent zoning reclassification, the special uses application may, if the City Council deems it necessary, be referred back to the Planning Commission in the same manner as a new application; provided, however, that no additional fee shall be required.
- (7) A filing fee of \$400.00, plus \$10.00 per acre.
- (8) In order to properly evaluate the proposed special uses, the Planning Director may require the following additional information:
  - a. Preliminary building elevations for all new or renovated structures, indicating height, bulk, and general appearance.
  - b. Preliminary improvement plans for any alteration of existing watercourses or drainage features, proposed streets and alleys, and the location of the 100-year floodplain.
  - c. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.
- (b) Review and evaluation criteria. The Planning Commission shall review and evaluate any special use proposal and recommend to the City Council using the following criteria:
  - (1) Conformance with applicable regulations and standards established by this article.
  - (2) Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.

- (3) Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (Note: Throughout this section, the term "permitted use" means any use authorized as a matter of right under the applicable zoning district.)
- (4) Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
- (5) Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed special use and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
- (6) That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed special use with existing or permitted uses in the surrounding area.
- (c) Planning commission hearing and recommendation. The Planning Commission shall hold a public hearing on each application for a special use. Public notification requirements shall be the same as a rezoning procedure. At the public hearing, the Commission shall review the application and shall receive public comments concerning the proposed use and the proposed conditions under which it would be operated or maintained. The Planning Commission may recommend that the City Council establish conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; and such other conditions as the Commission may deem necessary to ensure compatibility with surrounding uses, and to preserve the public health, safety, and welfare.
- (d) *City Council approval*. Granting a special use shall be considered a privilege bestowed by the City Council for a specific use at a specific location. Special uses may be granted by the City Council with such requirements and/or conditions, as the Council deems appropriate. Such requirements and/or conditions shall be continually complied with by the applicant and his successors and assigns. At the time of issuance of a certificate of occupancy for the initial operation of a special use, the City shall cause the property legal description and conditions of approval established by the City Council to be filed in the Tract Index of the County Clerk's office. Prior to such filing, the applicant shall be afforded an opportunity to review the instrument to be filed, for correctness.
- (e) *Violations*. For any reason, if any requirement or condition specified in the authorizing special use ordinance is violated, said violation constitutes a violation of this chapter and subjects the violator to the fines and penalties contained herein. Further, such a violation constitutes grounds for the City Council to remove or amend, by ordinance,

the previously authorized special use and any concurrent rezoning.

- (1) If it is determined by the Planning Director or the City Manager that there is a violation of any applicable provision of this section, or a failure to comply with conditions imposed by any special use ordinance on the property, then the Planning Director or the City Manager may initiate any or all of the following actions to remedy the situation, including:
  - a. Specify the nature and extent of any such violations and specify reasonable time to correct such violations;
  - b. Report such violations to the Code Enforcement Official and initiate action in the same manner as any other violation of this chapter;
  - c. Schedule a public hearing before the City Council to review such matter and consider revocation, by ordinance, of the granting of a special use for said property.
- (2) Whenever any one or more of the foregoing actions is initiated, notice shall be given to the property owner of record by any means then authorized by the State Pleading Code for service of summons in a civil action. Further, if the property is occupied, such notice shall also be given, by first-class mail or hand-delivery, addressed to "Tenant, Owner, or Manager" at the property address.
- (f) Expiration for non-use.
  - (1) The authority to issue initial construction or initial occupancy permits pursuant to the granting of a special use shall expire two years after the City Council approves the special use, unless the City Council includes a different time limit as a specific condition of approval. This time period to initially establish a special use may be extended for a maximum of an additional two years by action of the City Council, upon receipt of a timely request from the owner of said property, when it determines that conditions have not substantially changed since the time of original approval.
  - (2) In any case where the special use is not activated in accordance with the times specified in the preceding section, or where the special use has been discontinued for two continuous years, then authority for such a special use ceases to exist and the owner must reapply in order to establish or re-establish said special use.
- (g) Change of ownership. A special use may be transferred to a new owner provided:
  - (1) Written notification is sent to the Planning Director indicating date of transfer, name and address of new owner, and a statement acknowledging any conditions attached to the special use and the intent to continuously comply;
  - (2) A transfer fee is paid; and
  - (3) An inspection of the property reveals continued compliance with all original conditions.
- (h) Special uses which were formerly described as uses permitted on review or conditional use permits.
  - (1) A use legally established pursuant to a conditional use permit or permissive use rezoning prior to the date of adoption of these zoning regulations shall be

- deemed pre-existing and, shall be permitted to continue, provided that it is operated and maintained in accordance with any conditions prescribed at the time of its establishment. If such a structure is destroyed by fire, explosions, or act of God, it may be rebuilt, if compliance with all conditions stipulated in its enabling ordinance are complied with.
- (2) Expansion of a pre-existing permissive use or conditional use permit shall be permitted only upon the granting of a special use as prescribed in these regulations.
- (i) Certain requirements for Tobacco and E-Cigarette Retailers. Any use under this Section which involves a tobacco or e-cigarette store shall comply with the requirements described under NCC § 36-567.1 "Restrictions on Tobacco and E-cigarette Retailers.

(Ord. No. O-9596-11, 10-24-1995)

**SECTION 6:** <u>ADOPTION</u> "36-567.1 Restrictions On Tobacco And E-Cigarette Retailers" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

- 36-567.1 Restrictions On Tobacco And E-Cigarette Retailers(Added)
  - (a) <u>Definitions</u>. For the purposes of this Subsection only, the following meanings shall apply:
    - (1) School means any property, building, permanent structure, facility, auditorium, stadium, arena or recreational facility owned, leased or under the control of a public school district or private school or any educational facility that is accredited by the state of Oklahoma.
      - a. School shall include all licensed childcare facilities, kindergartens, elementary schools, which may include either K-6 or K-8, and all secondary schools
      - b. School shall include any institution within the Oklahoma State System of Higher Education or any other public or private college or university that is accredited by a national accrediting body.
    - (2) Playgrounds means any area used for outdoor play or recreation, especially by children, and often containing recreational equipment such as slides and swings.
    - (3) Tobacco product means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also means electronic smoking devices and any component or

- accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and liquids used in electronic smoking devices, whether or not they contain nicotine. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- (4) Electronic smoking device means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.
- (b) A business license issued by the City of Norman shall only be located or operated at locations permitted by the City's zoning or planning laws. The location of a tobacco or e-cigarette store is specifically prohibited within three hundred feet (300') of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age. The distance shall be measured as the shortest straight line distance from the property line of the proposed tobacco or e-cigarette store to the property line of the entities listed below:
  - (1) Public or Private School
  - (2) Playgrounds
  - (3) Facility used primarily by persons under twenty-one (21) years of age
- (c) <u>Legal Non-conforming Use.</u> Current license tobacco or e-cigarette store(s) within three hundred feet (300') of the above described locations are permitted to continue operations despite this amendment to the zoning ordinance. If a current license tobacco/ or e-cigarette store is sold, then the new owner would no longer be able to use the legal non-conforming use to obtain a license.

**SECTION 7: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

<b>SECTION 8</b>	EFFECTIVE DATE This Ordinance shall be in full force and
effect from	and after the required approval and publication according to law.

# PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Presidi	ng Officer		Attest	
Larry Heikkila, Mayor, City of Norman		Brenda Hall, City Clerk, City of Norman		

#### File Attachments for Item:

14. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ORDINANCE O-2425-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF ARTICLE V, CHAPTER 16; AMENDING SECTION 16-501 TO REFLECT CHANGES TO PURPOSE; AMENDING AND ADDING DEFINITIONS TO SECTION 16-502 FOR THE PURPOSES THEREOF; AMENDING SECTION 16-503 TO ADD PROHIBITED ACTIVITIES ON MUNICIPAL PROPERTY; MOVING SECTION 16-508 TO SECTION 16-504 AND THEREBY LEAVING SECTIONS 16-505 THROUGH 16-508 AS RESERVED FOR PURPOSES OF INTERAL CODE CONSISTENCY; AND PROVIDING FOR THE SEVERABILITY THEREOF.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/25

**REQUESTER:** Jason Olsen, Director of Parks and Recreation

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR

POSTPONEMENT OF ORDINANCE O-2425-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF ARTICLE V, CHAPTER 16; AMENDING SECTION 16-501 TO REFLECT CHANGES TO PURPOSE; AMENDING AND ADDING DEFINITIONS TO SECTION 16-502 FOR THE PURPOSES THEREOF; AMENDING SECTION 16-503 TO ADD PROHIBITED ACTIVITIES ON MUNICIPAL PROPERTY; MOVING SECTION 16-508 TO SECTION 16-504 AND THEREBY LEAVING SECTIONS 16-505 THROUGH 16-508 AS RESERVED FOR PURPOSES OF INTERAL CODE CONSISTENCY; AND PROVIDING FOR

THE SEVERABILITY THEREOF.

# **BACKGROUND:**

The City of Norman Parks and Recreation Department is actively seeking grant funding opportunities through TSET (Tobacco Settlement Endowment Trust). The grant funding would go to support the construction of the Miracle Field—a custom, adaptive, ADA compliant baseball field to remove barriers and provide opportunities for youth with disabilities to participate in outdoor sports and recreation activities.

In order to achieve these objectives, the City needs to: 1) update two existing ordinances, 16-V Tobacco and 24-311 Prevention of Youth Access to Tobacco And Vapor Products to include updates to State law as well as regulate and prohibit smoking and use of tobacco and vapor products and the smoking or vaping of marijuana on all municipal property; and 2) pass a zoning ordinance imposing certain restrictions on tobacco and e-cigarette retailers to protect youth from the negative health effects of tobacco, nicotine, or vapor products.

All three ordinances must be approved as they are presented in order to achieve the desired level of grant funding (TSET representatives have approved all three ordinances as compliant with the requirements for the highest level of grant funding).

City staff are scheduled to discuss all the proposed ordinance changes with Council at the February 18, 2025 Study Session prior to the second and final reading of the ordinances.

#### **DISCUSSION:**

The restrictions contained in this Ordinance O-2425-11 come directly from those contained and allowed in 63 O.S. § 1-1527, et seq. Such statute establishes restrictions that must be followed and cannot be more restrictive than the State law, and also allows the City to enact laws restricting smoking on properties owned or operated by the City.

A brief overview of the proposed amendments to Article 16-V follows:

- (1) Amending the title from "Tobacco" to "Smoking in Public"
- (2) **16-501 Purpose:** The amendments to this section involve establishing the prohibition of smoking or carrying any lighted smoking instrument in or on municipal property in the purpose of the ordinance.
- (3) **16-502 Definitions**: The amendments to this section consist of:
  - 1) General formatting edits (capitalizations, consistent numbering schemes, gender neutral terms, etc.);
  - 2) The addition of three new definitions for terms used throughout the ordinance (Municipal Property, Tobacco Product, and Vapor Product); and
  - 3) The removal of an exclusion in the definition of Public Park (parking lots and Westwood Golf Course) as the purpose of the amendments to this ordinance are to prohibit smoking activities on all municipal property.
- (4) **16-503 Smoking in Certain Public Places Prohibited**: The amendments to this section involve:
  - Updating language to achieve the goal of prohibiting smoking activities on all municipal property by clearly outlining the prohibition in subsection (b) and removing previous exceptions for certain municipal property (subsections (c-e);
  - 2) General formatting edits; and
  - 3) Updates to the signage requirements: indoor areas requirements remain the same and are just reorganized in subsection (f)(1); outdoor municipal property requirements are added in subsection (f)(2); and general requirements are outlined in subsection (f).
- (5) **16-504 Enforcement/Penalties**: The amendments to this section include moving the penalty information currently in section 16-508 into this section and then adding two new subsections which outline enforcement aspects.
- (6) **16-505-508**: These sections existed in previous versions of this ordinance and will thereby be left as "Reserved."

(7) Appendix B City Of Norman Penalty And Fine Schedule: Amended chapter 16 section of the appendix to match the penalties established in section 16-504 and remove the fines no longer existing.

# **RECOMMENDATION:**

Staff forwards Ordinance O-2425-11 to Council for consideration.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF ARTICLE V, CHAPTER 16; AMENDING SECTION 16-501 TO REFLECT CHANGES TO PURPOSE; AMENDING AND ADDING DEFINITIONS TO SECTION 16-502 FOR THE PURPOSES THEREOF; AMENDING SECTION 16-503 TO ADD PROHIBITED ACTIVITIES ON MUNICIPAL PROPERTY; MOVING SECTION 16-508 TO SECTION 16-504 AND THEREBY LEAVING SECTIONS 16-505 THROUGH 16-508 AS RESERVED FOR PURPOSES OF INTERAL CODE CONSISTENCY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- §1. WHEREAS, in an effort to standardize laws of governmental subdivisions that control and regulate smoking in public places, the State of Oklahoma has enacted legislation to preempt regulations that differ from State law; and
- §2. WHEREAS, the City of Norman, pursuant to 63 O.S. § 1-1527, is authorized to enact laws restricting smoking on properties owned or operated by the City; and
- §3. WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma's regulations promulgated to control smoking in public places by adopting Ordinance O-2425-11.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

\* \* \*

§ 4. THAT the title of Article V of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as "Smoking in Public Places."

\* \* \*

§ 5. THAT Section 16-501 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

Smoking in certain areas has been determined to be injurious to human health, to constitute a source of annoyance and discomfort to nonsmokers, and to be a public nuisance due to the following:

- (a) Reliable studies have shown that breathing sidestream or secondhand smoke is a significant health hazard for certain population groups, including elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease;
- (b) Health hazards induced by breathing sidestream or secondhand smoke include lung cancer, respiratory infection, decreased exercise tolerance, decreased respiratory function, bronchoconstriction, and bronchospasm;

- (c) Nonsmokers with allergies, respiratory diseases and those who suffer other ill effects of breathing sidestream or secondhand smoke may experience a loss of job productivity or may be forced to take periodic sick leave because of adverse reactions to same; and
- (d) The smoking of tobacco, or any other weed or plant, is a danger to health.

Therefore, no person shall smoke or carry any lighted smoking instrument in a public place, public park, or at a public meeting except in permitted smoking areas. or on Municipal Property. Neither shall a person smoke or carry any lighted smoking instrument in a Public Place or at a public Meeting, except where otherwise specifically allowed by law.

\* \* \*

§ 6. THAT Section 16-502 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

The following words, terms and phrases, when used in this aArticle, shall have the meanings ascribed to them in this sSection, except where the context clearly indicates a different meaning:

Health fFacility: An entity which provides health services, including, but not limited to, hospitals, nursing homes, long-term care facilities, kidney disease treatment centers, health maintenance organizations and ambulatory treatment centers.

Indoor www.orkplace: Any indoor place of employment or employment-type service for or at the request of another individual or individuals, or any public or private entity, whether part-time or full-time and whether for compensation or not. Such services shall include, without limitation, any service performed by an owner, employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant or volunteer. An indoor workplace included work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, and all space between a floor and ceiling that is predominately or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways or the like. The provisions of this ssection shall apply to such indoor workplaces at any given time, whether or not work is being performed.

Meeting: A meeting as defined in the Open Meeting Act.

Municipal Property: All buildings, Indoor Workplaces, Public Parks, and Public Places owned and operated by the City, including but not limited to vehicles and equipment owned by the municipality.

Person: Any individual, firm, fiduciary, partnership, corporation trust, or association, however formed.

Public bBody: A public body as defined in the Open Meeting Act.

*Public pPark:* All unenclosed areas of a park or playground, including outdoor recreation areas, that is owned and operated by the City to which members of the general public have

Annotated

been granted a right to access. "Public park" shall exclude parking lots located on the same property as a park or playground, and the Westwood Golf Course.

Public <u>pPlace</u>: Any enclosed indoor area where individuals other than employees are invited or permitted.

Restaurant: Any eating establishment regardless of seating capacity.

*Smoking:* The carrying or holding of a lighted pipe, cigar, cigarette, or any other lighted smoking device.

Stand-alone bar, Stand-alone tavern, and Cigar bar: An establishment that derives more than sixty percent (60%) of its gross receipts, subject to verification by competent authority, from the sale of alcoholic beverages and low-point beer no person under twenty-one (21) years of age is admitted, except for members of musical band employed or hired as provided in paragraph 2 of subsection B of Section 537 of Title 37 of the Oklahoma Statutes and that is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor workplace, including a restaurant.

Tobacco Product: Any product that contains tobacco and is intended for human consumption.

<u>Vapor Product</u>: Any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Products shall include any vapor cartridge or other container of a solution, that may or may not contain nicotine, or other form that is intended to be used with or in an electronic cigarette, cigar, cigarillo, pipe, or similar electronic product or device.

\* \* \*

- § 7. THAT Section 16-503 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:
  - (a) Except where specifically allowed by law, nNo person shall smoke tobacco or marijuana or vape marijuana in a pPublic pPlace, in an iIndoor wWorkplace, in any vehicle providing public transportation, or at a meeting of a pPublic bBody, except where otherwise specifically permitted by law.
  - (b) Notwithstanding Subsection (a) above, no person shall smoke or use Tobacco Products or Vapor Products or smoke or vape marijuana in or on any Municipal Property.
  - (c) All buildings, or portions thereof owned or operated by this municipality shall be designated as nonsmoking.
  - (d) No smoking of tobacco or marijuana or vaping marijuana shall be allowed within 25 feet of the entrance or exit of any building specified in subsection (b) of this section.
  - (e) No smoking of tobacco or marijuana or vaping marijuana shall be allowed on the grounds of any City owned public parks excluding the parking lots of any public park or playground and the Westwood Golf Course.

- (c) The restrictions provided in this sSection shall not prohibit tobacco smoking in:
  - (1) Stand-alone bars, <u>sS</u>tand-alone taverns or <u>eCigar</u> bars;
  - (2) The room or rooms where licensed charitable bingo games are being operated; but only during the hours of operation of such games;
  - (3) Up to twenty-five percent (25%) percent of the guest rooms at a hotel or other lodging establishment;
  - (4) Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories and in which the sale of other products is merely incidental and in which no food or beverage is sold or served for consumption on the premises;
  - (5) Workplaces where only the owner or operator of the workplace, or the immediate family of the owner or operator, performs any work in the workplace, and the workplace only has incidental public access. "Incidental public access" means that a place of business has only an occasional person, who is not an employee, present at the business to transact business or make a delivery. It does not include businesses that depend on walk-in customers for any part of their business;
  - (6) Workplaces occupied exclusively by one or more tobacco smokers, if the workplace has only incidental public access;
  - (7) Private offices occupied exclusively by one or more smokers;
  - (8) Workplaces within private residences, except that smoking tobacco or marijuana or vaping marijuana shall not be allowed inside any private residence that is used as a licensed childcare facility during hours of operation;
  - (9) Medical research or treatment centers, if tobacco smoking is integral to the research or treatment. Furthermore, the restrictions on smoking or vaping of marijuana provided in this <u>sSection</u> shall not apply to medical research or treatment centers, if marijuana smoking or vaping is integral to the research or treatment;
  - (10) A facility operated by a post or organization of past or present members of the Armed Forces of the United States, which is exempt from taxation pursuant to section 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code, 26 USC 501(c)(8), 501(c)(10), or 501(c)(19), when such facility is utilized exclusively by its members and their families for the conduct of post or organization nonprofit operations, except during an event or activity which is open to the public; and
  - (11) Any outdoor seating area of a restaurant; provided, tobacco or marijuana smoking or vaping marijuana shall not be allowed within <u>fifteen (15)</u> feet of any exterior public doorway or any air intake of a restaurant.

- (12) An employer not otherwise restricted from doing so may elect to provide tobacco smoking rooms where no work is performed except for cleaning and maintenance during the time the room is not in use for tobacco smoking, provided each tobacco smoking room is fully enclosed and exhausted directly to the outside in such a manner that no tobacco smoke can drift or circulate into a nonsmoking area. No exhaust from a tobacco smoking room shall be located within <u>fifteen (15)</u> feet of any entrance, exit, or air intake.
- (d) If tobacco smoking is to be permitted in any space exempted in subsections (cf)(5) or (c)(6) of this sSection or in a tobacco smoking room pursuant to subsection (cf)(2) of this sSection, such tobacco smoking space must either occupy the entire enclosed indoor space or, if it shares the enclosed space with any nonsmoking areas, the tobacco smoking space shall be fully enclosed, exhausted directly to the outside with no air from the smoking space circulated to any nonsmoking area, and under negative air pressure so that no tobacco smoke can drift or circulate into a nonsmoking area when a door to an adjacent nonsmoking area is opened. Air from the tobacco smoking room shall not be exhausted within fifteen (15) feet of any entrance, exit, or air intake. Any employer may choose a more restrictive tobacco smoking policy, including being totally tobacco smoke free.
- (e) Restaurants shall be totally nonsmoking or may provide nonsmoking areas and designated tobacco smoking rooms. Food and beverage may be served in such designated tobacco smoking rooms, which shall be in a location which is fully enclosed, directly exhausted to the outside, under negative air pressure so tobacco smoke cannot escape when a door is opened, and no air is recirculated to nonsmoking areas of the building. No exhaust from such room shall be located within twenty-five (25) feet of any entrance, exit or air intake. Such room shall be subject to verification for compliance with the provisions of this subsection by the State Department of Health.
- (f) The person that has legal or de facto control of an area in which who owns or operates a place where tobacco smoking and the use of Tobacco Products or Vapor Products or use is prohibited by law this Article shall post a clear, conspicuous, and unambiguous sign at each point of entry to the area be responsible for posting a sign or decal, at least four (4) inches by two (2) inches in size, at each entrance of the building indicating that the place is smoke-free or tobacco-free. Breathe Easy decals meet this requirement.
  - (1) For restrictions on smoking or use of Tobacco Products or Vapor Products in indoor areas, a sign or decal, at least four (4) inches by two (2) inches in size, shall be posted at each entrance of the building indicating that the place is smoke-free or tobacco-free. Breathe Easy decals meet this requirement.
  - (2) For restrictions on smoking and the use of Tobacco Products or Vapor products in outdoor Municipal Property, signs shall be posted at each entrance that are (1) weather-resistant; (2) at least fifteen (15) inches by fifteen (15) inches in size, with lettering of at least one (1) inch; and (3) clearly state that the place is smoke-free or tobacco-free.
- (g) Responsibility for posting signs or decals shall be as follows:

- (1) In privately-owned facilities, the owner or lessee, if lessee is in possession of the facilities, shall be responsible;
- (2) In corporately-owned facilities, the manager and/or supervisor of the facility involved shall be responsible; and
- (3) In publicly-owned facilities, the manager and/or supervisor shall be responsible.
- (h) The person who owns or operates a place where smoking or tobacco use of Tobacco Products or Vapor Products is prohibited by law shall ask smokers to refrain from smoking upon observation of anyone violating the provisions of this actArticle.

\* \* \*

- § 8. THAT Section 16-504 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:
  - (a) Persons convicted of any violation of NCC 16-503 shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), as provided in the City penalty and fine schedule, excluding costs, fees, and assessments.
  - (b) The possession of a lighted smoking instrument in violation of this Article shall be deemed a nuisance.
  - (c) Enforcement of this Article shall be the responsibility of the City of Norman Police Department, or, in addition, any peace officer or code enforcement official.

\* \* \*

§ 9. THAT Section 16-505 through 16-508 of Chapter 16 of the Code of Ordinances of the City of Norman shall be titled "Reserved" for the consistency and clarity of the Code of Ordinances of the City of Norman.

\* \* \*

§ 10. THAT Appendix B – City of Norman Penalty and Fine Schedule of the Code of Ordinances of the City of Norman shall be amended to read as follows:

Chapter 16Health and Safety			
16-115	Violation of article 16-I	\$50.00\$750.00	
16-211	Violation of article 16-II	\$50.00\$750.00 and/or imprisonment not to exceed 60 days	
16-311	Violation of article 16-III	\$50.00\$750.00 and/or imprisonment not to exceed 60 days	

16-406	Violation of article 16-IV	\$50.00\$1,000.00 and/or imprisonment not to exceed 90 days
16-50 <u>4</u> 8(a)	Smoking in certain places Violation of article 16-V	\$10.00\$100.00
<del>16-508(b)</del>	Signs required in retail establishments	<del>Up to \$50.00</del>
<del>16-508(c)</del>	Vending machines and sales displays	<del>Up to \$200.00</del>
16-602	Violation of article 16-VI	\$50.00\$750.00 and/or imprisonment not to exceed 60 days
16-703	Violation of article 16-VII	\$50.00\$750.00
16-813	Violation of article 16-VIII	\$50.00\$750.00
16-904(b)	Removal of street tree in violation of NCC 16-903, per inch DBH	Up to \$50.00
10 90 1(0)	Total administrative fine not to exceed	\$2,000.00
16-911	Violation of article 16-IX; per offense	Up to \$500.00
16-1103	Violation of article 16-XI; per offense	\$50.00—\$750.00

\* \* \*

§11. Severability and Intent. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance. It is the intent of the City of Norman City Council to supplement applicable state and federal law, not to duplicate nor contradict such law.

ADOPTED this day		NOT ADOPTED this day	
of	, 2025.	of	, 2025.
Larry Heikkila, Mayo	<u>r</u>	Larry Heikkila, Mayor	
ATTEST:			
Brenda Hall, City Cle	rk		

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF ARTICLE V, CHAPTER 16; AMENDING SECTION 16-501 TO REFLECT CHANGES TO PURPOSE; AMENDING AND ADDING DEFINITIONS TO SECTION 16-502 FOR THE PURPOSES THEREOF; AMENDING SECTION 16-503 TO ADD PROHIBITED ACTIVITIES ON MUNICIPAL PROPERTY; MOVING SECTION 16-508 TO SECTION 16-504 AND THEREBY LEAVING SECTIONS 16-505 THROUGH 16-508 AS RESERVED FOR PURPOSES OF INTERAL CODE CONSISTENCY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- §1. WHEREAS, in an effort to standardize laws of governmental subdivisions that control and regulate smoking in public places, the State of Oklahoma has enacted legislation to preempt regulations that differ from State law; and
- §2. WHEREAS, the City of Norman, pursuant to 63 O.S. § 1-1527, is authorized to enact laws restricting smoking on properties owned or operated by the City; and
- §3. WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma's regulations promulgated to control smoking in public places by adopting Ordinance O-2425-11.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

\* \* \*

§ 4. THAT the title of Article V of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as "Smoking in Public Places."

\* \* \*

§ 5. THAT Section 16-501 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

Smoking in certain areas has been determined to be injurious to human health, to constitute a source of annoyance and discomfort to nonsmokers, and to be a public nuisance due to the following:

- (a) Reliable studies have shown that breathing sidestream or secondhand smoke is a significant health hazard for certain population groups, including elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease;
- (b) Health hazards induced by breathing sidestream or secondhand smoke include lung cancer, respiratory infection, decreased exercise tolerance, decreased respiratory function, bronchoconstriction, and bronchospasm;

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- (c) Nonsmokers with allergies, respiratory diseases and those who suffer other ill effects of breathing sidestream or secondhand smoke may experience a loss of job productivity or may be forced to take periodic sick leave because of adverse reactions to same; and
- (d) The smoking of tobacco, or any other weed or plant, is a danger to health.

Therefore, no person shall smoke or carry any lighted smoking instrument in or on Municipal Property. Neither shall a person smoke or carry any lighted smoking instrument in a Public Place or at a public Meeting, except where otherwise specifically allowed by law.

\* \* \*

§ 6. THAT Section 16-502 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Health Facility: An entity which provides health services, including, but not limited to, hospitals, nursing homes, long-term care facilities, kidney disease treatment centers, health maintenance organizations and ambulatory treatment centers.

Indoor Workplace: Any indoor place of employment or employment-type service for or at the request of another individual or individuals, or any public or private entity, whether part-time or full-time and whether for compensation or not. Such services shall include, without limitation, any service performed by an owner, employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant or volunteer. An indoor workplace included work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, and all space between a floor and ceiling that is predominately or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways or the like. The provisions of this Section shall apply to such indoor workplaces at any given time, whether or not work is being performed.

Meeting: A meeting as defined in the Open Meeting Act.

*Municipal Property:* All buildings, Indoor Workplaces, Public Parks, and Public Places owned and operated by the City, including but not limited to vehicles and equipment owned by the municipality.

*Person:* Any individual, firm, fiduciary, partnership, corporation trust, or association, however formed.

*Public Body:* A public body as defined in the Open Meeting Act.

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*Public Park:* All unenclosed areas of a park or playground, including outdoor recreation areas, that is owned and operated by the City to which members of the general public have been granted a right to access.

*Public Place:* Any enclosed indoor area where individuals other than employees are invited or permitted.

Restaurant: Any eating establishment regardless of seating capacity.

*Smoking:* The carrying or holding of a lighted pipe, cigar, cigarette, or any other lighted smoking device.

Stand-alone bar, Stand-alone tavern, and Cigar bar: An establishment that derives more than sixty percent (60%) of its gross receipts, subject to verification by competent authority, from the sale of alcoholic beverages and low-point beer no person under twenty-one (21) years of age is admitted, except for members of musical band employed or hired as provided in paragraph 2 of subsection B of Section 537 of Title 37 of the Oklahoma Statutes and that is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor workplace, including a restaurant.

Tobacco Product: Any product that contains tobacco and is intended for human consumption.

Vapor Product: Any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Products shall include any vapor cartridge or other container of a solution, that may or may not contain nicotine, or other form that is intended to be used with or in an electronic cigarette, cigar, cigarillo, pipe, or similar electronic product or device.

\* \* \*

- § 7. THAT Section 16-503 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:
  - (a) No person shall smoke tobacco or marijuana or vape marijuana in a Public Place, in an Indoor Workplace, in any vehicle providing public transportation, or at a meeting of a Public Body, except where otherwise specifically permitted by law.
  - (b) Notwithstanding Subsection (a) above, no person shall smoke or use Tobacco Products or Vapor Products or smoke or vape marijuana in or on any Municipal Property.
  - (c) The restrictions provided in this Section shall not prohibit tobacco smoking in:
    - (1) Stand-alone bars, Stand-alone taverns or Cigar bars;
    - (2) The room or rooms where licensed charitable bingo games are being operated; but only during the hours of operation of such games;

- (3) Up to twenty-five percent (25%) of the guest rooms at a hotel or other lodging establishment;
- (4) Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories and in which the sale of other products is merely incidental and in which no food or beverage is sold or served for consumption on the premises;
- (5) Workplaces where only the owner or operator of the workplace, or the immediate family of the owner or operator, performs any work in the workplace, and the workplace only has incidental public access. "Incidental public access" means that a place of business has only an occasional person, who is not an employee, present at the business to transact business or make a delivery. It does not include businesses that depend on walk-in customers for any part of their business;
- (6) Workplaces occupied exclusively by one or more tobacco smokers, if the workplace has only incidental public access;
- (7) Private offices occupied exclusively by one or more smokers;
- (8) Workplaces within private residences, except that smoking tobacco or marijuana or vaping marijuana shall not be allowed inside any private residence that is used as a licensed childcare facility during hours of operation;
- (9) Medical research or treatment centers, if tobacco smoking is integral to the research or treatment. Furthermore, the restrictions on smoking or vaping of marijuana provided in this Section shall not apply to medical research or treatment centers, if marijuana smoking or vaping is integral to the research or treatment;
- (10) A facility operated by a post or organization of past or present members of the Armed Forces of the United States, which is exempt from taxation pursuant to section 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code, 26 USC 501(c)(8), 501(c)(10), or 501(c)(19), when such facility is utilized exclusively by its members and their families for the conduct of post or organization nonprofit operations, except during an event or activity which is open to the public; and
- (11) Any outdoor seating area of a restaurant; provided, tobacco or marijuana smoking or vaping marijuana shall not be allowed within fifteen (15) feet of any exterior public doorway or any air intake of a restaurant.
- (12) An employer not otherwise restricted from doing so may elect to provide tobacco smoking rooms where no work is performed except for cleaning and maintenance during the time the room is not in use for tobacco smoking, provided each tobacco smoking room is fully enclosed and exhausted directly to the outside in such a manner that no tobacco smoke can drift or circulate into a nonsmoking area. No exhaust from a tobacco smoking room shall be located within fifteen (15) feet of any entrance, exit, or air intake.

- (d) If tobacco smoking is to be permitted in any space exempted in subsections (c)(5) or (c)(6) of this Section or in a tobacco smoking room pursuant to subsection (c)(2) of this Section, such tobacco smoking space must either occupy the entire enclosed indoor space or, if it shares the enclosed space with any nonsmoking areas, the tobacco smoking space shall be fully enclosed, exhausted directly to the outside with no air from the smoking space circulated to any nonsmoking area, and under negative air pressure so that no tobacco smoke can drift or circulate into a nonsmoking area when a door to an adjacent nonsmoking area is opened. Air from the tobacco smoking room shall not be exhausted within fifteen (15) feet of any entrance, exit, or air intake. Any employer may choose a more restrictive tobacco smoking policy, including being totally tobacco smoke free.
- (e) Restaurants shall be totally nonsmoking or may provide nonsmoking areas and designated tobacco smoking rooms. Food and beverage may be served in such designated tobacco smoking rooms, which shall be in a location which is fully enclosed, directly exhausted to the outside, under negative air pressure so tobacco smoke cannot escape when a door is opened, and no air is recirculated to nonsmoking areas of the building. No exhaust from such room shall be located within twenty-five (25) feet of any entrance, exit or air intake. Such room shall be subject to verification for compliance with the provisions of this subsection by the State Department of Health.
- (f) The person that has legal or de facto control of an area in which smoking and the use of Tobacco Products or Vapor Products is prohibited by this Article shall post a clear, conspicuous, and unambiguous sign at each point of entry to the area.
  - (1) For restrictions on smoking or use of Tobacco Products or Vapor Products in indoor areas, a sign or decal, at least four (4) inches by two (2) inches in size, shall be posted at each entrance of the building indicating that the place is smoke-free or tobacco-free. Breathe Easy decals meet this requirement.
  - (2) For restrictions on smoking and the use of Tobacco Products or Vapor Products in outdoor Municipal Property, signs shall be posted at each entrance that are (1) weather-resistant; (2) at least fifteen (15) inches by fifteen (15) inches in size, with lettering of at least one (1) inch; and (3) clearly state that the place is smoke-free or tobacco-free.
- (g) Responsibility for posting signs or decals shall be as follows:
  - (1) In privately-owned facilities, the owner or lessee, if lessee is in possession of the facilities, shall be responsible;
  - (2) In corporately-owned facilities, the manager and/or supervisor of the facility involved shall be responsible; and
  - (3) In publicly-owned facilities, the manager and/or supervisor shall be responsible.

(h) The person who owns or operates a place where smoking or use of Tobacco Products or Vapor Products is prohibited by law shall ask smokers to refrain from smoking upon observation of anyone violating the provisions of this Article.

\* \* \*

- § 8. THAT Section 16-504 of Chapter 16 of the Code of Ordinances of the City of Norman shall be amended to read as follows:
  - (a) Persons convicted of any violation of NCC 16-503 shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), as provided in the City penalty and fine schedule, excluding costs, fees, and assessments.
  - (b) The possession of a lighted smoking instrument in violation of this Article shall be deemed a nuisance.
  - (c) Enforcement of this Article shall be the responsibility of the City of Norman Police Department, or, in addition, any peace officer or code enforcement official.

\* \* \*

§ 9. THAT Section 16-505 through 16-508 of Chapter 16 of the Code of Ordinances of the City of Norman shall be titled "Reserved" for the consistency and clarity of the Code of Ordinances of the City of Norman.

\* \* \*

§ 10. THAT Appendix B – City of Norman Penalty and Fine Schedule of the Code of Ordinances of the City of Norman shall be amended to read as follows:

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16-311	Violation of article 16-III	\$50.00\$750.00 and/or imprisonment not to exceed 60 days	
16-406	Violation of article 16-IV	\$50.00\$1,000.00 and/or imprisonment not to exceed 90 days	
16-504	Violation of article 16-V	\$10.00\$100.00	
16-602	Violation of article 16-VI	\$50.00\$750.00 and/or imprisonment not to exceed 60 days	

16-703	Violation of article 16-VII	\$50.00\$750.00
16-813	Violation of article 16-VIII	\$50.00\$750.00
16-904(b)	Removal of street tree in violation of NCC 16-903, per inch DBH	Up to \$50.00
16-813	Total administrative fine not to exceed	\$2,000.00
16-911 16-1103	Violation of article 16-IX; per offense	Up to \$500.00
	Violation of article 16-XI; per offense	\$50.00—\$750.00

\* \* \*

§11. Severability and Intent. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance. It is the intent of the City of Norman City Council to supplement applicable state and federal law, not to duplicate nor contradict such law.

ADOPTED this	_ day	NOT ADOPTED this	day
of	, 2025.	of	, 2025.
Larry Heikkila, Mayor		Larry Heikkila, Mayor	
ATTEST:			
Brenda Hall, City Clerk			

#### File Attachments for Item:

15. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OR ORDINANCE O-2425-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELF-ACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE: AND PROVIDING FOR THE SEVERABILITY THEREOF.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/25

**REQUESTER:** Jason Olsen, Director of Parks and Recreation

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR

POSTPONEMENT OR ORDINANCE O-2425-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELF-ACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE; AND PROVIDING FOR THE

SEVERABILITY THEREOF.

#### **BACKGROUND:**

The City of Norman Parks and Recreation Department is actively seeking grant funding opportunities through TSET (Tobacco Settlement Endowment Trust). The grant funding would go to support the construction of the Miracle Field—a custom, adaptive, ADA compliant baseball field to remove barriers and provide opportunities for youth with disabilities to participate in outdoor sports and recreation activities.

In order to achieve these objectives, the City needs to: 1) update two existing ordinances, 16-V Tobacco and 24-311 Prevention of Youth Access to Tobacco And Vapor Products to include updates to State law as well as regulate and prohibit smoking and use of tobacco and vapor products and the smoking or vaping of marijuana on all municipal property; and 2) pass a zoning ordinance imposing certain restrictions on tobacco and e-cigarette retailers to protect youth from the negative health effects of tobacco, nicotine, or vapor products.

All three ordinances must be approved as they are presented in order to achieve the desired level of grant funding (TSET representatives have approved all three ordinances as compliant with the requirements for the highest level of grant funding).

City staff are scheduled to discuss all the proposed ordinance changes with Council at the February 18, 2025 Study Session prior to the second and final reading of the ordinances.

#### **DISCUSSION:**

The restrictions contained in this Ordinance O-2425-12 come directly from those contained and allowed in 63 O.S. § 1-229.11, et seq.

The proposed amendments to Section 24-311 of Chapter 24 are fairly minimal. The majority of the amendments are general formatting edits (capitalizations, consistent numbering schemes, gender neutral terms, etc.). There are only two substantive changes in the proposed amendments:

- The addition of nicotine products to the prohibited products under this ordinance (seen in subsection (a) - definitions and everywhere the prohibitions are referenced throughout the ordinance); and
- 2) A clear enumeration of the enforcement officials and process (seen in subsection (g)).

#### **RECOMMENDATION:**

Staff forwards Ordinance O-2425-12 to Council for consideration.

#### CITY OF NORMAN ORDINANCE 0-2425-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELFACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**WHEREAS**, WHEREAS, in an effort to protect our youth from the negative health effects of tobacco, nicotine or vapor products, the State of Oklahoma has prohibited the sale or possession of tobacco, nicotine or vapor products for anyone under the age of twenty-one (21) years of age; and

**WHEREAS,** WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma's policy of protection and safety of minors by adopting Ordinance O-2425-12.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "24-311 Prevention Of Youth Access To Tobacco And Vapor Products" of the City of Norman Municipal Code is hereby *amended* as follows:

#### **AMENDMENT**

- 24-311 Prevention Of Youth Access To Tobacco, Nicotine, And Vapor Products
  - (a) *Definitions*. The following words, terms and phrases, when used in this <u>sS</u>ection, shall have the meanings ascribed to them in this <u>sS</u>ubsection, except where the context clearly indicates a different meaning:

Nicotine product means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation. Person means any individual, firm, fiduciary,

partnership, corporation, trust, or association, however formed.

*Proof of age* means a driver's license, license for identification only, or other generally accepted means of identification that describes the individual as <u>twenty-one</u> (21) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid.

*Sample* means a tobacco product, <u>nicotine product</u> or vapor product distributed to members of the public at no cost for the purpose of promoting the product.

Sampling means the distribution of samples to members of the public in a public place.

*Tobacco product* means any product that contains tobacco and is intended for human consumption.

*Transaction scan* means the process by which a seller checks, by means of a transaction scan device, the validity of a driver's license or other government-issued photo identification.

*Transaction scan device* means any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver's license or other government-issued photo identification.

Vapor product means noncombustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. The term "vapor product" shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. The term "vapor product" does not include any products regulated by the United States Food and Drug Administration under chapter V of the Food, Drug, and Cosmetic Act.

- (b) Furnishing of <u>\*T</u>obacco <u>pP</u>roducts, <u>Nicotine Products</u> or <u>\*V</u>apor <u>pP</u>roducts to <u>pP</u>ersons under the <u>aAge of Twenty-One (21)</u> years.
  - (1) It shall be an offense for any person to sell, give or furnish in any manner any tobacco product, nicotine product or vapor product to another person who is under twenty-one (21) years of age, or to purchase in any manner a tobacco product, nicotine product or vapor product on behalf of any such person. It shall not be unlawful for an employee under twenty-one (21) years of age to handle tobacco products, nicotine products or vapor products when required in the performance of the employee's duties.
  - (2) A person engaged in the sale or distribution of tobacco products, nicotine

products or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under <a href="twenty-one">twenty-one</a> (21) years of age. If an individual engaged in the sale or distribution of tobacco products, <a href="nicotine products">nicotine products</a> or vapor products has demanded proof of age from a prospective purchaser or recipient who is not under <a href="twenty-one">twenty-one</a> (21) years of age, the failure to subsequently require proof of age shall not constitute a violation of this <a href="Subsection">Subsection</a>.

- (3) Any person convicted of violating <u>sSubsection</u> (b)(1) or (2) of this <u>sSection</u> shall be punished, as provided in 63 O.S. § 1-229.13.
- (4) Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to any action brought pursuant to this <u>sSection</u>. A person cited for violating this <u>sSection</u> shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of the violation if such person proves that:
  - a. The individual who purchased or received the tobacco product, nicotine product or vapor product presented a driver's license or other government-issued photo identification purporting to establish that such individual was twenty-one (21) years of age or older; or
  - b. The person cited for the violation confirmed the validity of the driver's license or other government-issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

Provided that this defense shall not relieve from liability any person cited for a violation of this <u>s</u>Section if the person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver's license or other government-issued photo identification was that of the individual who presented it. The availability of the defense described in this <u>s</u>Subsection does not affect the availability of any other defense under any other provision of law.

- (5) If the sale is made by an employee of the owner of a store at which tobacco products, nicotine products or vapor products are sold at retail, the employee shall be guilty of the violation and shall be subject to the fine.
- (6) Upon failure of the employee to pay the administrative fine within <u>ninety</u> (90) days of the day of the assessment of such fine, the Clerk of the municipal Court shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the employee until proof of payment has been furnished to the Department of Public Safety.
- (c) Possession of <u>tT</u>obacco <u>pP</u>roducts, <u>Nicotine Products</u> or <u>vV</u>apor <u>pP</u>roducts by <u>pP</u>ersons under the <u>aAge</u> of <u>Twenty-One</u> (21) years.
  - (1) It shall be an offense for a person who is under <u>twenty-one</u> (21) years of age to purchase, receive, or have in <u>histheir</u> possession a tobacco product, <u>nicotine</u> <u>product</u> or vapor product, or to present or offer to any person any purported proof of age which is false or fraudulent, for the purpose of purchasing or receiving any tobacco product, <u>nicotine product</u> or vapor product. It shall not

- be unlawful for an employee under <u>twenty-one</u> (21) years of age to handle tobacco products, <u>nicotine products</u> or vapor products when required in the performance of the employee's duties.
- (2) Any person convicted of violating <u>sSubsection</u> (c)(1) of this <u>sSection</u> shall be punished by a fine:
  - a. Not to exceed \$\frac{100}{50}.00\$ for a first offense; and
  - b. Not to exceed \$200.00 for a second or subsequent offenses within a one-year period following the first offense.
- (3) Upon failure of the individual to pay the administrative fine within <u>ninety (90)</u> days of the day of the fine, the Clerk of the municipal Court shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the individual until proof of payment has been furnished to the Department of Public Safety.
- (d) Distribution of  $\underline{t}\underline{T}$  obacco  $\underline{p}\underline{P}$  roducts, Nicotine Products or  $\underline{v}\underline{V}$  apor  $\underline{p}\underline{P}$  roducts and  $\underline{p}\underline{P}$  roduct  $\underline{s}\underline{S}$  amples  $\underline{r}\underline{R}$  estricted.
  - (1) It shall be unlawful for any person or retailer to distribute tobacco products, <u>nicotine products</u> vapor products or product samples to any person under <u>twenty-one</u> (21) years of age.
  - (2) No person shall distribute tobacco products, <u>nicotine products</u> vapor products or product samples in or on any public street, sidewalk, or park that is within 300 three hundred feet (300') of any playground, school, or other facility when the facility is being used primarily by persons under <u>twenty-one</u> (21) years of age.
  - (3) Any person convicted of violating <u>sSubsections</u> (d)(1) or (2) of this <u>sSection</u> shall be punished by a fine of:
    - a. Not more than \$100.00 for the first offense;
    - b. Not more than \$200.00 for the second offense; and
    - c. Not more than \$300.00 for a third or subsequent offense.
  - (4) Upon failure of any person to pay an administrative fine within <u>ninety</u> (90) days of the assessment of the fine, the Clerk of the municipal Court shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the person until proof of payment has been furnished to the Department of Public Safety.
- (e) Sale of  $\underline{t}$  Tobacco  $\underline{p}$  Products  $\underline{e}$  Except in  $\underline{o}$  Original,  $\underline{s}$  Sealed  $\underline{p}$  Packages.
  - (1) It is unlawful for any person to sell cigarettes except in the original, sealed package in which they were placed by the manufacturer.
  - (2) Any person convicted of <u>sSubsection</u> (e)(1) of this <u>sSection</u> shall be punished by a fine of not more than \$200.00 for each offense.
- (f) Publicly <u>aAccessible <u>dD</u>isplay or <u>sSale</u> of <u>tT</u>obacco, <u>Nicotine</u> or <u>vV</u>apor <u>pP</u>roducts.</u>
  - (1) It is unlawful for any person or retail store to display or offer for sale tobacco products, nicotine products or vapor products in any manner that allows public access to the tobacco products, nicotine products or vapor products without assistance from the person displaying the tobacco products, nicotine products or vapor products or an employee or the owner of the store. The provisions of this ssubsection shall not apply to retail stores which do not admit into the

- store persons under twenty-one (21) years of age.
- Any person convicted of violating <u>sS</u>ubsection (f)(1) of this <u>sS</u>ection shall be (2) punished by a fine of not more than \$200.00 for each offense.
- a) Notice of conviction to be provided to the ARLE Commission. Any information
- (g) Notice of conviction to be provided to the ABLE Commission. Any information or reports required or requested by the State Alcoholic Beverages Enforcement (ABLE) Commission shall be provided by the Clerk of the municipal Court regarding the enforcement of any of violations found within this section Enforcement.
  - (1) Any conviction for a violation of this Article and any compliance checks by a municipal police officer pursuant to Subsection (3) of this Section shall be reported in writing to the Alcoholic Beverage Laws Enforcement (ABLE) Commission within thirty (30) days of such conviction or compliance check. Such reports shall be compiled in the manner prescribed by the ABLE Commission. Convictions shall be reported by the Court Clerk or their designee and compliance checks shall be reported by the Chief of Police or their designee.
  - (2) For the purpose of determining second or subsequent violations, both the offenses penalized by the ABLE Commission as administrative fines and the offenses penalized by the City of Norman and reported to the ABLE Commission shall be considered together in such determination.
  - (3) Persons under twenty-one (21) years of age may be enlisted by the Police Department to assist in compliance checks and enforcement of this Article pursuant to the rules of the ABLE Commission.

(Code 1976, § 15-412; Ord. No. O-9697-58; Ord. No. O-9900-36; Ord. No. O-1920-46, § 3)

**SECTION 2: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

#### PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Presidi	ing Officer		Attest	
Larry H Norman	Teikkila, Mayor, Ci	ty of	Brenda Hall, Cit Norman	y Clerk, City of

#### CITY OF NORMAN ORDINANCE 0-2425-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE TITLE OF SECTION 24-311 OF CHAPTER 24; AMENDING DEFINITIONS FOR THE PURPOSES THEREOF; PROHIBITING THE FURNISHING OF TOBACCO, NICOTINE AND VAPOR PRODUCTS TO ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE POSSESSION OF TOBACCO, NICOTINE AND VAPOR PRODUCTS BY ANYONE UNDER THE AGE OF TWENTY-ONE, PROHIBITING THE DISPLAY OR SALE OF TOBACCO, NICOTINE OR VAPOR PRODUCTS WHERE SELFACCESSIBLE BY ANYONE UNDER THE AGE OF TWENTY-ONE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**WHEREAS**, WHEREAS, in an effort to protect our youth from the negative health effects of tobacco, nicotine or vapor products, the State of Oklahoma has prohibited the sale or possession of tobacco, nicotine or vapor products for anyone under the age of twenty-one (21) years of age; and

**WHEREAS,** WHEREAS, the City of Norman desires to support and enforce the State of Oklahoma's policy of protection and safety of minors by adopting Ordinance O-2425-12.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "24-311 Prevention Of Youth Access To Tobacco And Vapor Products" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

- 24-311 Prevention Of Youth Access To Tobacco, Nicotine, And Vapor Products
  - (a) *Definitions*. The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Subsection, except where the context clearly indicates a different meaning:

Nicotine product means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation. Person means any individual, firm, fiduciary,

partnership, corporation, trust, or association, however formed.

*Proof of age* means a driver's license, license for identification only, or other generally accepted means of identification that describes the individual as twenty-one (21) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid.

*Sample* means a tobacco product or vapor product distributed to members of the public at no cost for the purpose of promoting the product.

Sampling means the distribution of samples to members of the public in a public place.

*Tobacco product* means any product that contains tobacco and is intended for human consumption.

*Transaction scan* means the process by which a seller checks, by means of a transaction scan device, the validity of a driver's license or other government-issued photo identification.

*Transaction scan device* means any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver's license or other government-issued photo identification.

Vapor product means noncombustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. The term "vapor product" shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. The term "vapor product" does not include any products regulated by the United States Food and Drug Administration under chapter V of the Food, Drug, and Cosmetic Act.

- (b) Furnishing of Tobacco Products, Nicotine Products or Vapor Products to Persons under the Age of Twenty-One (21) years.
  - (1) It shall be an offense for any person to sell, give or furnish in any manner any tobacco productproduct to another person who is under twenty-one (21) years of age, or to purchase in any manner a tobacco product, nicotine product, nicotine product, nicotine product, nicotine product or vapor product on behalf of any such person. It shall not be unlawful for an employee under twenty-one (21) years of age to handle tobacco products, nicotine

- products or vapor products when required in the performance of the employee's duties.
- (2) A person engaged in the sale or distribution of tobacco products, nicotine products or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under twenty-one (21) years of age. If an individual engaged in the sale or distribution of tobacco products, nicotine products or vapor products has demanded proof of age from a prospective purchaser or recipient who is not under twenty-one (21) years of age, the failure to subsequently require proof of age shall not constitute a violation of this Subsection.
- (3) Any person convicted of violating Subsection (b)(1) or (2) of this Section shall be punished as provided in 63 O.S. § 1-229.13.
- (4) Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to any action brought pursuant to this Section. A person cited for violating this Section shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of the violation if such person proves that:
  - a. The individual who purchased or received the tobacco product, nicotine productvapor product presented a driver's license or other government-issued photo identification purporting to establish that such individual was twenty-one (21) years of age or older; or
  - b. The person cited for the violation confirmed the validity of the driver's license or other government-issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

Provided that this defense shall not relieve from liability any person cited for a violation of this Section if the person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver's license or other government-issued photo identification was that of the individual who presented it. The availability of the defense described in this Subsection does not affect the availability of any other defense under any other provision of law.

- (5) If the sale is made by an employee of the owner of a store at which tobacco products, nicotine products or vapor products are sold at retail, the employee shall be guilty of the violation and shall be subject to the fine.
- (6) Upon failure of the employee to pay the administrative fine within ninety (90) days of the day of the assessment of such fine, the Clerk of the municipal Court shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the employee until proof of payment has been furnished to the Department of Public Safety.
- (c) Possession of Tobacco Products, Nicotine Products or Vapor Products by Persons under the Age of Twenty-One (21) years.

- (1) It shall be an offense for a person who is under twenty-one (21) years of age to purchase, receive, or have in their possession a tobacco product, nicotine product or vapor product, or to present or offer to any person any purported proof of age which is false or fraudulent, for the purpose of purchasing or receiving any tobacco product, nicotine product or vapor product. It shall not be unlawful for an employee under twenty-one (21) years of age to handle tobacco products, nicotine products or vapor products when required in the performance of the employee's duties.
- (2) Any person convicted of violating Subsection (c)(1) of this Section shall be punished by a fine:
  - a. Not to exceed \$50.00 for a first offense; and
  - b. Not to exceed \$200.00 for subsequent offenses first offense.
- (3) Upon failure of the individual to pay the fine within ninety (90) days of the day of the fine, the Clerk of the municipal Court shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the individual until proof of payment has been furnished to the Department of Public Safety.
- (d) Distribution of Tobacco Products, Nicotine Products or Vapor Products and Product Samples Restricted.
  - (1) It shall be unlawful for any person or retailer to distribute tobacco products, vapor products or product samples to any person under twenty-one (21) years of age.
  - (2) No person shall distribute tobacco products, nicotine products nicotine products vapor products or product samples in or on any public street, sidewalk, or park that is within three hundred feet (300') of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age.
  - (3) Any person convicted of violating Subsections (d)(1) or (2) of this Section shall be punished by a fine of:
    - a. Not more than \$100.00 for the first offense;
    - b. Not more than \$200.00 for the second offense; and
    - c. Not more than \$300.00 for a third or subsequent offense.
  - (4) Upon failure of any person to pay an administrative fine within ninety (90) days of the assessment of the fine, the Clerk of the municipal Court shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the person until proof of payment has been furnished to the Department of Public Safety.
- (e) Sale of Tobacco Products Except in Original, Sealed Packages.
  - (1) It is unlawful for any person to sell cigarettes except in the original, sealed package in which they were placed by the manufacturer.
  - (2) Any person convicted of Subsection (e)(1) of this Section shall be punished by a fine of not more than \$200.00 for each offense.

- (f) Publicly Accessible Display or Sale of Tobacco, Nicotine or Vapor Products.
  - (1) It is unlawful for any person or retail store to display or offer for sale tobacco products, nicotine products in any manner that allows public access to the tobacco products, nicotine products, nicotine products or vapor products without assistance from the person displaying the tobacco products, nicotine products or vapor products or an employee or the owner of the store. The provisions of this Subsection shall not apply to retail stores which do not admit into the store persons under twenty-one (21) years of age.
  - (2) Any person convicted of violating Subsection (f)(1) of this Section shall be punished by a fine of not more than \$200.00 for each offense.
- (g) Enforcement.
- (1) Any conviction for a violation of this Article and any compliance checks contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include

years ofproducts approved by the United States Food and Drug Administration for smoking cessation.

(Code 1976, § 15-412; Ord. No. O-9697-58; Ord. No. O-9900-36; Ord. No. O-1920-46, § 3)

**SECTION 2:** <u>SEVERABILITY CLAUSE</u> Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

#### PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Presidi	ng Officer		Attest	
Larry Horman	eikkila, Mayor, City	of	Brenda Hall, Cit Norman	y Clerk, City of

#### File Attachments for Item:

16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE 2-III, DIVISION 2-III-17 DUTIES AND POWERS OF THE ANIMAL WELFARE OVERSIGHT COMMISSION.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Jeanne Snider, Assistant City Attorney

**PRESENTER:** Jeanne Snider, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-13 UPON SECOND AND

FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE 2-III, DIVISION 2-III-17 DUTIES AND POWERS OF THE ANIMAL WELFARE OVERSIGHT

COMMISSION.

#### **BACKGROUND:**

Over the past several years, City Council has discussed a number of proposals to amend some of the City's Boards, Commission and Committees. At the December 17, 2024, Study Session, City Council agreed to move forward with the following amendments.

#### **DISCUSSION:**

#### Animal Welfare Oversight Committee

Codifying the Animal Welfare Oversight Committee. The Animal Welfare Oversight Committee was originally appointed by Resolution R-0203-111. The addition would make Animal Welfare Oversight Committee a permanent committee with term limits and requiring some rural representation. Sec. 2-347 will reflect the duties and powers of the Animal Welfare Oversight Committee. Resolution R-0203-111 would be repealed.

#### **RECOMMENDATION:**

Staff recommends Council approve the amendments listed above.

Item 16.

#### CITY OF NORMAN ORDINANCE 0-2425-13

# AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE 2-111, DIVISION 2-111-17 DUTIES AND POWERS OF THE ANIMAL WELFARE OVERSIGHT COMMISSION.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>ADOPTION</u> "DIVISION 2-III-17 ANIMAL WELFARE OVERSIGHT COMMISSION" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

DIVISION 2-III-17 ANIMAL WELFARE OVERSIGHT COMMISSION (Added)

**SECTION 2:** <u>ADOPTION</u> "2-347 Duties And Powers Of The Animal Welfare Oversight Committee" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

- 2-347 Duties And Powers Of The Animal Welfare Oversight Committee(Added)
  - (a) Purpose. Provide advice and recommendations to the City Council related to the Norman Animal Shelter and issues pertaining to animal care and welfare, animal rescue, fostering and adoption, control of the animal population, standards for animal shelters, recruiting volunteers, budget priorities as identified by the Commission and suggest modifications to the City of Norman Code of Ordinances.
  - (b) Authority. There is hereby created a newly established Animal Welfare Oversight
    Commission for the City. The Animal Welfare Oversight Commission shall consist of
    seven members appointed at-large by the Mayor with the approval of City Council.
    Membership in one or more of the following categories is preferred, but not required:
    - (1) Veterinarian;
    - (2) Local animal welfare organizations; and
    - (3) At least one citizen from a rural area.

All members serve without compensation and may be removed by the City Council as provided in the Code. City staff and administrative guidance shall be provided by the Norman Animal Welfare staff and other City departments as necessary.

- (c) Term of Office. The term of the seven persons appointed by the Mayor shall be three years. For the newly established Animal Welfare Oversight Commission, current committee members will be assigned staggered initial terms of one, two or three years by random selection or agreement. This will ensure that approximately one-third of members rotate off each year thereafter.
- (d) Quorum and operation.
  - (1) Quorum. At any meeting of the Animal Welfare Oversight Commission, a quorum shall consist of four of the appointed members. No action shall be taken in the absence of a quorum. Four affirmative votes shall be required to pass any measure.
  - (2) <u>Board Officers</u>. The Animal Welfare Oversight Commission shall elect a Chairman from its members and shall create and fill such other offices as deemed necessary. The term of Chair shall be one year with eligibility for reelection for no more than two consecutive terms.

**SECTION 3: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 4:** <u>EFFECTIVE DATE</u> This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

# AYE NAY ABSENT ABSTAIN Presiding Officer Attest Larry Heikkila, Mayor, City of Norman Brenda Hall, City Clerk, City of Norman

#### CITY OF NORMAN ORDINANCE 0-2425-13

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE 2-111, DIVISION 2-111-17 DUTIES AND POWERS OF THE ANIMAL WELFARE OVERSIGHT COMMISSION.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>ADOPTION</u> "DIVISION 2-III-17 ANIMAL WELFARE OVERSIGHT COMMISSION" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

DIVISION 2-III-17 ANIMAL WELFARE OVERSIGHT COMMISSION (Added)

**SECTION 2:** <u>ADOPTION</u> "2-347 Duties And Powers Of The Animal Welfare Oversight Committee" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

2-347 Duties And Powers Of The Animal Welfare Oversight Committee(Added)

- (a) Purpose. Provide advice and recommendations to the City Council related to the Norman Animal Shelter and issues pertaining to animal care and welfare, animal rescue, fostering and adoption, control of the animal population, standards for animal shelters, recruiting volunteers, budget priorities as identified by the Commission and suggest modifications to the City of Norman Code of Ordinances.
- (b) . There is hereby created a newly established Animal Welfare Oversight Commission for the City. The Animal Welfare Oversight Commission shall consist of seven members appointed at-large by the Mayor with the approval of City Council. Membership in one or more of the following categories is preferred, but not required:
  - (1) Veterinarian;
  - (2) Local animal welfare organizations; and
  - (3) At least one citizen from a rural area.

members serve without compensation and may be removed by the City Council as provided in the Code. City staff and administrative guidance shall be provided by the Norman Animal Welfare staff and other City departments as necessary.

- (c) Term of Office. The term of the seven persons appointed by the Mayor shall be three years. For the newly established Animal Welfare Oversight Commission, current committee members will be assigned staggered initial terms of one, two or three years by random selection or agreement. This will ensure that approximately one-third of members rotate off each year thereafter.
- (d) Quorum and operation.
  - (1) Quorum. At any meeting of the Animal Welfare Oversight Commission, a quorum shall consist of four of the appointed members. No action shall be taken in the absence of a quorum. Four affirmative votes shall be required to pass any measure.
  - (2) Board Officers. The Animal Welfare Oversight Commission shall elect a Chairman from its members and shall create and fill such other offices as deemed necessary. The term of Chair shall be one year with eligibility for reelection for no more than two consecutive terms.

**SECTION 3: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 4: EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval and publication according to law.

#### PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
			<del></del>	
Presiding	g Officer		Attest	
Larry Heikkila, Mayor, City of Norman		f	Brenda Hall, City Cler Norman	k, City of

#### File Attachments for Item:

17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE 0-2425-14 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 2-III, DIVISION 2-III-1, SECTION 2-301 OF THE CODE OF THE CITY OF NORMAN INCREASING THE NUMBER OF PERSONS FOR THE BOARD OF ADJUSTMENT FROM FIVE TO SEVEN, AMENDING CITY PLANNING COMMISSION MEMBERSHIP TO REQUIRE A PERSON FROM EACH WARD AND ONE AT-LARGE PERSON, DECREASING THE TERMS OF PERSONS ON THE BOARD OF APPEALS FROM FOUR TO THREE YEAR TERMS, AND ADDING NORMAN ELECTION COMMISSION: SEVEN PERSONS WITH THREE-YEAR TERMS: AMENDING DIVISION 2-III-6. SECTION 3-216. ADDING OVERSIGHT OVER TREE PROTECTION TO THE BOARD OF PARK COMMISSIONERS AUTHORITY: REPEALING DIVISION 2-III-9, GREENBELT COMMISSION IN ITS ENTIRETY: REPEALING DIVISION 2-III-16, TREE BOARD IN ITS ENTIRETY: AMENDING ARTICLE 10-II, SECTION 10-201, NORMAN ELECTION COMMISSION, TO CHANGE A FIVE MEMBER COMMITTEE TO SEVEN; AND AMENDING ARTICLE 36-V-4, SECTION 36-570(A)(2) TO INCREASE THE CONCURRING VOTE REQUIRED FOR THE BOARD OF ADJUSTMENT FROM THREE TO FOUR MEMBERS.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Jeanne Snider, Assistant City Attorney

**PRESENTER:** Jeanne Snider, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE 0-2425-14 UPON SECOND AND FINAL

READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 2-III, DIVISION 2-III-1, SECTION 2-301 OF THE CODE OF THE CITY OF NORMAN INCREASING THE NUMBER OF PERSONS FOR THE BOARD OF ADJUSTMENT FROM FIVE TO SEVEN, AMENDING CITY PLANNING COMMISSION MEMBERSHIP TO REQUIRE A PERSON FROM EACH WARD AND ONE AT-LARGE PERSON, DECREASING THE TERMS OF PERSONS ON THE BOARD OF APPEALS FROM FOUR TO THREE YEAR TERMS, AND ADDING NORMAN ELECTION COMMISSION: SEVEN PERSONS WITH THREE-YEAR TERMS: AMENDING DIVISION 2-111-6. SECTION 3-216, ADDING **OVERSIGHT** OVER THE OF PARK PROTECTION TO BOARD COMMISSIONERS AUTHORITY; REPEALING DIVISION 2-III-9, GREENBELT COMMISSION IN ITS ENTIRETY: REPEALING DIVISION 2-III-16, TREE BOARD IN ITS ENTIRETY; AMENDING ARTICLE 10-II, SECTION 10-201, NORMAN ELECTION COMMISSION, TO CHANGE A FIVE MEMBER COMMITTEE TO SEVEN; AND AMENDING ARTICLE 36-V-4, SECTION 36-570(A)(2) TO INCREASE THE CONCURRING VOTE REQUIRED FOR THE BOARD OF ADJUSTMENT FROM THREE TO FOUR MEMBERS.

## **BACKGROUND:**

Over the past several years, City Council has discussed a number of proposals to amend some of the City's Boards, Commission and Committees. At the December 17, 2024, Study Session, City Council agreed to move forward with the following amendments.

## **DISCUSSION:**

Section 2-301 Appointment Boards and Commissions; Appointments: Terms of Office

Section 2-301(a). Increase the membership of the Board of Adjustment from five to seven members.

Section. 2-301(g). Add the provision of the City Planning Commission that there shall be a member from each ward and one at-large member.

Section 2-301(j). Decrease the term of the Board of Appeal appointments from four years to three years.

Section 2-301(m). Include this Section stating the Norman Election Commission has seven members with three year terms; and amend Section 10-201 to increase the membership of the Norman Election Commission from five to seven members.

Section 36-750(d)(2) Board of Adjustment. Increase the concurring vote from three to four members necessary to reverse any order, requirement, decision or determination of the administrative office, to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to affect any variation in the application of this chapter.

Repeal Division 2-III-16 Tree Board and authorizing the Board of Park Commissioners be the presiding authority over matters contained in NCC 16-IX, Tree Protection, with review and oversight by City Council.

Repeal Division 2-III-9 Greenbelt Commission.

## **RECOMMENDATION:**

Staff recommends Council approve the amendments listed above.

# CITY OF NORMAN ORDINANCE 0-2425-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 2-III, DIVISION 2-III-1, SECTION 2-301 OF THE CODE OF THE CITY OF NORMAN INCREASING THE NUMBER OF PERSONS FOR THE BOARD OF ADJUSTMENT FROM FIVE TO SEVEN, AMENDING CITY PLANNING COMMISSION MEMBERSHIP TO REQUIRE A PERSON FROM EACH WARD AND ONE AT-LARGE PERSON, DECREASING THE TERMS OF PERSONS ON THE BOARD OF APPEALS FROM FOUR TO THREE YEAR TERMS, AND ADDING NORMAN ELECTION COMMISSION: SEVEN PERSONS WITH THREE-YEAR TERMS; AMENDING DIVISION 2-III-6, SECTION 3-216, ADDING OVERSIGHT OVER TREE PROTECTION TO THE BOARD OF PARK COMMISSIONERS AUTHORITY; REPEALING DIVISION 2-III-9, GREENBELT COMMISSION IN ITS ENTIRETY; REPEALING DIVISION 2-III-16, TREE BOARD IN ITS ENTIRETY; AMENDING ARTICLE 10-II, SECTION 10-201, NORMAN ELECTION COMMISSION, TO CHANGE A FIVE MEMBER COMMITTEE TO SEVEN; AND AMENDING ARTICLE 36-V-4, SECTION 36-570(A)(2) TO INCREASE THE CONCURRING VOTE REQUIRED FOR THE BOARD OF ADJUSTMENT FROM THREE TO FOUR MEMBERS.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "2-301 Appointive Boards And Commissions; Appointments; Terms Of Office" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

2-301 Appointive Boards And Commissions; Appointments; Terms Of Office

The appointed members of the following boards and commissions shall first be nominated by the Mayor and then confirmed by a majority of the Council and the number of appointive members of each respective body and their overall respective terms of office shall be as listed below:

- (a) Board of Adjustment: Five seven persons for three-year terms.
- (b) Norman Regional Hospital Authority: Nine persons for three-year terms.
- (c) Board of Park Commissioners: Nine persons for three-year terms:
- (d) Environmental Control Advisory Board: Nine persons for three-year terms.
- (e) Human Rights Commission: Nine persons for three-year terms.
- (f) Library Board: Nine persons for three-year terms.

- (g) City Planning Commission: Nine persons for three-year terms.
- (h) Public Housing Authority: Five persons for three-year terms.
- (i) Social and Voluntary Services Commission: Nine persons for three-year terms.
- (j) Board of Appeals: Five persons and one alternate for four three-year terms.
- (k) Historic District Commission: Nine persons for three-year terms. Such commission shall consist of not less than nine citizens, all of whom shall reside in the City and who shall be nominated by the Mayor, and confirmed by the City Council, each for a term of three years; provided, however, that in the first instance, one-third shall be for three years, one-third for two years, and one-third for one year.
- (l) Economic Development Advisory Board: Initially consisting of two members appointed for one-year terms, three members appointed for two-year terms and two members appointed for three-year terms. Thereafter, successor appointments shall serve Seven persons for three-year terms.
- (m) Norman Election Commission: Seven persons for three-year terms.

(Code 1976, § 4-101; Ord. No. O-7475-31; Ord. No. O-7677-31; Ord. No. O-7879-20; Ord. No. O-8081-55; Ord. No. O-8081-69; Ord. No. O-8283-40; Ord. No. O-8384-136; Ord. No. O-8889-11; Ord. No. O-9091-23; Ord. No. O-9293-31; Ord. No. O-0001-39; Ord. No. O-1213-42, § 1)

**SECTION 2:** <u>AMENDMENT</u> "2-316 Duties And Powers Of The Board" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 2-316 Duties And Powers Of The Board

The Board of Park Commissioners shall advise the City Council on policies pertaining to the use of the park and recreational facilities of the City and, pursuant thereto:

- (a) Propose rules and regulations for the maintenance of order, safety, and decency in those parks and recreational facilities;
- (b) Consider and investigate any matter affecting the development and improvement of parks and recreational facilities and policies pertaining to the use of those facilities;
- (c) Make recommendations to improve the park and recreational facilities;
- (d) Make recommendations regarding systems of supervised recreation, and modifications in existing recreational programs;
- (e) Act as the presiding authority over the matters contained in NCC 16-IX, with review and oversight by the City Council;
- (f) Provide copies of the minutes of its meetings to the office of the City Clerk within ten days from the date of their approval; and
- (g) Provide an annual report of the Board's acts and affairs.

(Code 1976, § 4-501; Ord. No. O-7475-31)

**SECTION 3:** REPEAL "DIVISION 2-III-9 GREENBELT COMMISSION" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

## DIVISION 2-III-9 GREENBELT COMMISSION RESERVED

**SECTION 4:** REPEAL "2-324 Purpose" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

## 2-324 Purpose(Reserved)

It is the purpose of this article to promote and protect the public health, safety and general welfare by creating a mechanism for providing a Greenbelt System, which will include preserved open spaces, protected natural areas and greenways/trails in a system of land pareels that together will work to help maintain and preserve the beauty and livability of the City.

(Code 1976, § 4-2021; Ord. No. O-0304-71)

**SECTION 5: REPEAL** "2-325 Authority" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

## 2-325 Authority (Reserved)

There is hereby created and established the Greenbelt Commission for the City. The City Greenbelt Commission shall consist of a total of nine members, one from each ward and one at-large. The members shall be appointed by the Mayor, with approval of the City Council, based upon their interests or expertise regarding open-space preservation. All members shall serve without compensation and may be removed by the City Council, as provided in the Code of Ordinances. City staff and administrative guidance shall be provided to the Greenbelt Commission by the Department of Planning and Community Development, with assistance from the City Forester and other Departments, as necessary. The implementation of the activities associated with this article shall be dependent upon the City Council's ability to provide funds on an annualized basis. Term of office. The term of the nine persons to be appointed by the Mayor shall be three years, except that the term of three of the members

appointed to the first Board shall be for only one year and the term of three members of the first Board shall be for two years. In the event that a vacancy shall occur during the term of any member, the successor shall be appointed by the Mayor with approval by the City Council for the unexpired portion of the term. *Quorum*. At any meeting of the Greenbelt Commission, a quorum shall consist of five of the appointed members. No action shall be taken in the absence of a quorum. Five affirmative votes shall be required to pass any measure. *Meeting*. The Greenbelt Commission shall meet as required in the furtherance of its duties set forth herein. *Commission officer*. The Greenbelt Commission shall elect a Chairman from its members and shall create and fill such other offices as deemed necessary. The term of the Chairman shall be one year with eligibility for reelection for no more than two consecutive terms. *Quorum and operation*. (Code 1976, § 4-2022; Ord. No. O-0304-71; Ord. No. O-1011-6, § 1)

**SECTION 6:** REPEAL "2-326 Duties And Powers Of The Greenbelt Commission" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

## 2-326 Duties And Powers Of The Greenbelt Commission (Reserved)

The Greenbelt Commission shall advise the City Council on policies pertaining to the promotion, acquisition, maintenance and improvement of the green spaces, greenways and trailway systems in the City and, pursuant thereto:

- (a) Propose an ordinance defining the Greenbelt System of green spaces, greenways and trail systems, including, without limitation, the contents of the Greenbelt Enhancement Statement and the duties and responsibilities for submission of such Greenbelt Enhancement Statements, in accordance with the recommendations of the Greenbelt Task Force. Upon the adoption of an ordinance defining the Greenbelt System and the requirement for a Greenbelt Enhancement Statement, all applications for a land use plan amendment, a City rural certificate of survey or preliminary platting of land in the City shall include a Greenbelt Enhancement Statement that articulates how the goals and objectives of the City's Greenbelt System plan are met by the proposed development; provided, however, that nothing herein shall require dedication of private property for public access;
- (b) Propose policy guidelines to determine the suitability of parcels for the Greenbelt System;
- (e) Identify possible parcels for preservation and/or acquisition and incorporation into the Greenbelt System;
- (d) Identify possible outside funding sources and matching funds for acquisition of development rights and preservation and/or acquisitions of parcels for the Greenbelt System;
- (e) Make recommendations to the City Council regarding policies and other related

matters;

- (f) Provide advocacy for the Greenbelt System in the City's planning process by reviewing Greenbelt Enhancement Statements and advising and making recommendations to the City Council thereon;
- (g) Solicit public opinion in planning for the Greenbelt System and facilitate citizen participation in the planning process so that the public's interest in the Greenbelt System is expressed;
- (h) Develop policies regarding security and safety in the Greenbelt System;
- (i) Develop policies and guidelines for use of the land and easements within the Greenbelt System;
- (j) Provide copies of the minutes of its meetings to the office of the City Clerk within ten days from the date of their approval; and
- (k) Provide an annual report of the Commission's acts and affairs.

(Code 1976, § 4-2023; Ord. No. O-0304-71; Ord. No. O-1011-6, § 2)

**SECTION 7:** <u>AMENDMENT</u> "2-327 Definitions" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 2-327 Definitions (Reserved)

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bikeway means a thoroughfare designated for bieyele travel by the Norman Bikeway Plan, as may be amended from time to time.

Cluster development means as defined by the City Code in NCC 30-101, as may be amended from time to time.

Conservation easement means a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purpose of which include, but are not limited to, retaining or protecting natural, seenic, or open-space values of real property, ensuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

Floodplain means as defined by NCC 36-533 as may be amended from time to time.

Flowage easement means an easement purchased by the U.S. Department of Interior, Bureau of Reelamation, Norman Project, which grants to the United States and its assigns the perpetual right, privilege and easement to intermittently and completely seep, flood, flow and

inundate, and the right to enter upon at any time for the purpose of making surveys, and investigations or for any other purpose incidental to the construction, operation, and maintenance of the Norman Reservoir Project and any feature thereof, any and all of the tracts or parcels of land lying below clevation 1,064.5 sea level datum.

Green space means any land area designated as open space by the City's Comprehensive land use plan; land determined to be open space or green space on an approved site development plan; or any land area in which the preservation in its present use would conserve and enhance natural or seenic resource, protect streams or water supply, promote conservation of soils, wetlands or marshlands, enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations, sanctuaries or other open space or green space, enhance recreation opportunities, including parks, plazas and narrow corridors or pathways for walking or bieyeling even though surrounded by developed areas, preserve visual quality along highway, road, and street corridors or seenic vistas, or retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.

Greenbelt Enhancement Statement (GES) means a statement on a form provided to the applicant by the City Planning and Community Development Department that is to be included with all applications for a land use plan amendment, a City rural certificate of survey or preliminary platting of land and submitted for consideration by the Commission that articulates how the principles, purposes and goals of the Greenbelt System are met by the proposed development.

Greenbelt System means and includes the following spaces, regardless of whether they are open to the public:

- (a) A system of trails (both on- and off-road) intended to connect parks, green spaces, schools, retail, employment, and residential areas.
- (b) Areas of land within the City limits required to be open space by zoning; areas currently designated for open space, park, floodplain, and institutional use by the Comprehensive Plan and subsequently adopted land use plans; Lake Thunderbird, the Bureau of Reclamation (BOR) take-line and BOR flowage easements; any other areas of land which are designated by easement, by deed restriction, or otherwise required to remain free of structures; and areas designated as green space.

## Greenway means:

- (a) A green open space, such as a linear open space established along or on either side of a natural or cultural corridor, such as a riverfront, a stream valley, a ridgeline, a railroad right-of-way, a channel, a scenie road or other route;
- (b) A trail; and/or
- (e) An open-space connector available to pedestrians intended to link parks, nature reserves, cultural features, historic sites, schools, residential or commercial areas with each other.

Impervious surface means one that does not permit penetration or passage of water, such as a roof or paved street or parking area.

Riparian buffers means the area between developed land and streams, rivers and shorelines that is managed to maintain the integrity of the waterway, to reduce pollution and to provide food, habitat, and thermal protection for fish and wildlife.

Structure means as defined by the City Code in NCC 36-101, as may be amended from time to time.

Take line means exterior boundary of the property acquired by the Bureau of Reclamation for construction of Lake Thunderbird.

*Trail* means any natural or landscaped course open to pedestrian or bieyele passage, including, but not limited to, sidewalks, but excluding roadways, streets, alleys and other passages primarily provided for general public motorized vehicular use. Types of trails include:

- (a) Community-wide (regional or arterial) trails means trails between ten feet and 12 feet in width that provide access from one part of the City to another.
- (b) *Natural trails* means trails at least eight feet to ten feet in width composed of compacted earth.
- (e) Neighborhood trails means trails between six feet and ten feet in width that mimic the system of local neighborhood streets and ultimately connect to larger arterial trails.
- (d) Parkway trails means trails between six feet and eight feet in width that are constructed with durable materials, and usually include amenities such as decorative light fixtures, landscaping, and ground cover and varying surface treatments at intersections and crosswalks.
- (e) Sidewalk trails means sidewalks located alongside streets that are constructed in accordance with City design criteria and designated as trails.
- (f) Specialized trails means water trails, equestrian trails, bikeways, or other trails dedicated to some specific use not otherwise listed herein.

(Code 1976, § 4-2023A; Ord. No. O-1011-6, § 3)

**SECTION 8:** REPEAL "2-328 Expenditure Of City Funds, Compensation, Reimbursement Of Expenses" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

2-328 Expenditure Of City Funds, Compensation, Reimbursement Of Expenses (Reserved)

- (a) The Greenbelt Commission shall neither authorize nor incur the expenditure of any City funds for any purpose except as may be authorized and appropriated therefor by the City Council.
- (b) Members of the Greenbelt Commission are entitled to reimbursement for their actual and necessary expenses, so long as those expenses were incurred in performance of their duty as Commission members.

(Code 1976, § 4-2024; Ord. No. O-0304-71)

**SECTION 9: REPEAL** "2-329 Review By The City Council" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-329 Review By The City Council (Reserved)

The City Council shall have the right to review all acts and recommendations of the Greenbelt Commission.

(Code 1976, § 4-2025; Ord. No. O-0304-71; Ord. No. O-1011-6, § 4)

**SECTION 10:** REPEAL "2-330 Specific Principles, Purposes And Goals Of The Greenbelt System" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-330 Specific Principles, Purposes And Goals Of The Greenbelt System(Reserved)

A Greenbelt System, as defined herein, serves the following principles, purposes and goals of the City.

- (a) Proposed additions to the Greenbelt System should be guided by the following principles:
  - (1) The ultimate goal is to create an interconnected system of trails that allow multiple connections across all of the City.
  - (2) The Greenbelt System should preserve valuable green space, natural habitat and key areas with existing vegetation.
  - (3) Trail segments should be designed so that they convey the physical and historical character of the City and relate to the neighborhoods through which the trail corridors pass.
  - (4) Greenway corridors should provide unique opportunities to learn about the history, culture, and accomplishments of the City.

- (5) Trails should promote smooth walkable corridors that are open and visible.
- (6) The Greenbelt System should contribute to enhancing the physical appearance of the City, whether through new pedestrian features, landscaping added to trail corridors, or simply by revealing natural areas not previously visible to the general public.
- (7) The Greenbelt System should encourage the creation of public and private partnerships that help build the entire system more quickly.
- (8) Greenbelts should protect environmentally sensitive lands that are generally the least suitable for development, especially floodprone areas and riparian corridors, and provide connectivity between the elements of the Greenbelt System.
- (b) The use of lot clustering should be encouraged as a means to develop the Greenbelt System.
- (e) The Greenbelt System should be used to link together existing recreation areas.
- (d) Multipurpose greenways should be created that:
  - (1) Create a unique greenway character for the City;
  - (2) Protect the environmentally sensitive areas of the City and serve as a wildlife habitat;
  - (3) Serve as a stormwater management resource for urban runoff and regional detention needs;
  - (4) Provide recreation opportunities for bieyeling, walking, and jogging, as well as an alternate route to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bieyeling or walking;
  - (5) Preserve agriculturally significant lands through conservation easements or other means; and
  - (6) Provide suitable locations for sanitary sewer easements and facilities.
- (e) Greenbelts should be used to provide green space areas adjacent to highways and major streets for sound buffer zones and protection from incompatible land uses.
- (f) The Greenbelt System should continue to improve a natural landscape planting and maintenance program for City-owned properties and rights-of-way of major streets and highways.

(Code 1976, § 4-2026; Ord. No. O-1011-6, § 5)

**SECTION 11:** <u>REPEAL</u> "2-331 Greenbelt Enhancement Statements" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

- 2-331 Greenbelt Enhancement Statements (Reserved)
  - (a) Submission. All applications for a pre-development meeting regarding a proposed land

- use plan amendment, a City rural certificate of survey or preliminary platting of land in the City shall include a Greenbelt Enhancement Statement.
- (b) Content. Greenbelt Enhancement Statements shall articulate how the principles, purposes and goals of this division are met by the proposed development and its amenities. Applicants shall also provide supporting drawings, illustrations, and other documents designed to assist the Greenbelt Commission in determining how the goals, principles, and policies herein are met by the development.

## (e) Review.

- (1) Staff review. The Planning Director or designee shall perform an initial review of the Greenbelt Enhancement Statement. If the application indicates that an opportunity for greenbelt development does not exist and the details of the application support such a finding, then the Planning Director or designee may issue a finding of no greenbelt opportunity. Such a finding shall be based on factors unique to the subject parcel, such as when the application involves redevelopment of an already fully-developed site, rezoning of property that does not involve new construction, or the existing plat requirements are such that development options are restricted. If a finding of no greenbelt opportunity is made, then the application shall be forwarded to the Greenbelt Commission for consideration as a consent docket item as outlined in subsection (e)(2)a of this section. If a request for a finding of no greenbelt opportunity is denied, a completed Greenbelt Enhancement Statement shall be forwarded to the Greenbelt Commission for consideration as set forth below.
- (2) Initial review by Greenbelt Commission.
  - a. Findings of no Greenbelt opportunity. If such a finding is made by the Planning Director or designee, then the application shall be forwarded to the Greenbelt Commission for consideration as a consent docket item to allow the Commission to determine whether it agrees with staff's finding of no greenbelt opportunity. If a Commission member disagrees with staff's finding of no greenbelt opportunity, said member may request that the item be removed from the consent docket and the item will be reviewed in the same manner as other applications. If the Commission agrees with staff's finding of no greenbelt opportunity, the subject application will bypass further review by the Commission and be forwarded on to the Planning Commission, as provided for in the City Code.
  - b. Other applications. All other applications for which a Greenbelt Enhancement Statement is completed shall be considered by the Greenbelt Commission for an initial review when application is made for a pre-development meeting and upon due notice of its consideration to the applicant. Comments about applications shall be in writing and delivered to the applicant. Those comments shall also be provided to the Planning Commission and to the City Council upon each respective body's consideration of the application. The comments from the Greenbelt Commission will reflect how the proposed development does or does not meet the goals of the

Greenbelt System through reference to specific principles, purposes and goals set forth herein.

(3) Subsequent review by Greenbelt Commission. Should it be determined that a greenbelt opportunity exists for a particular application and if the application has substantially changed (as determined by Planning and Community Development staff) since it was originally considered by the Greenbelt Commission, the Greenbelt Enhancement Statement shall be reviewed by the Greenbelt Commission at one of its regularly scheduled meetings after application is made to the Planning Commission and upon due notice of its consideration to the applicant. Comments about applications shall be in writing and delivered to the applicant with the Planning Commission packet. Those comments shall also be provided to the Planning Commission and to the City Council upon each respective body's consideration of the application. The comments from the Greenbelt Commission will reflect how the proposed development does or does not meet the goals of the Greenbelt System through reference to specific principles, purposes and goals set forth herein.

(Code 1976, § 4-2027; Ord. No. O-1011-6, § 6)

**SECTION 12:** <u>AMENDMENT</u> "2-332 Guidelines For Evaluating Greenbelt Enhancement Statements" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

2-332 Guidelines For Evaluating Greenbelt Enhancement Statements (Reserved)

In performing its duties, the Greenbelt Commission shall take into account the considerations listed below. Not all considerations will be applicable or feasible for each application.

- (a) Portions of the Greenbelt System are accessible to the general public.
- (b) Greenways are established and provide connections to other existing and future components of the Greenbelt System.
- (e) Existing easements (e.g., utility, pipeline, oil lease right-of-way, etc.) may be used for greenways where appropriate and where expressly approved by the easement grantor and grantee.
- (d) Greenways connect neighborhoods to each other and to industrial and commercial areas.
- (e) Greenways provide alternative routes to move through the City for commuting to work, schools, shopping, between neighborhoods, and/or other destinations by bieveling or walking.
- (f) Adverse impacts on existing topography, drainage patterns and natural vegetation are minimized.

- (g) Developments between urbanized Norman and Lake Thunderbird include pedestrian and bike connectivity to adjacent parcels to allow for future connections to Lake Thunderbird.
- (h) Landscaping required by the City has been planted in conformance with the City zoning regulations, including with local drought-resistant low maintenance plants, shrubs and trees.
- (i) Vegetative buffers between neighborhoods and railway lines have been provided to enhance safety and reduce the effects of noise and air pollution.
- (j) Permeable ground surfaces have been preserved to the extent possible.
- (k) Ingress and egress to and from a development is designed to permit safe use by nonmotorized traffic in and out of the development and across the ingress and egress provisions of the development.
- (1) Fences abutting components of the Greenbelt System, and particularly those abutting green spaces, are of designs and materials that minimize their visual impact to the extent such fences are allowable under this Code and not in conflict with applicable national standards for utility facilities. Examples of acceptable open fences include such types as wrought iron, split rail, low picket fence with every other picket removed, and metal pickets.
- (m) Water retention and detention storage facilities are designed in accordance with bioengineering principles and built with bioengineering materials.
- (n) Detention facilities are integrated into the surrounding neighborhood as part of the Greenbelt System in as ecologically sound a method as possible.
- (o) Stormwater management design considers the potential for trail and green space preservation, enhancement and/or creation.
- (p) The development layout is designed to preserve the health and diversity of wildlife affected by development in natural drainage corridor areas.
- (q) The development layout is designed to minimize the intrusions of noise, trash and other things into the Greenbelt System that would negatively affect visitors' and users' experience of any impacted components of the Greenbelt System.
- (r) To the extent possible, the development layout, as designed, does not impair the ability of riparian buffers from serving as corridors for wildlife movement.
- (s) Riparian buffers are incorporated into the Greenbelt System.
- (t) The commercial developments have provided for pedestrian access.
- (u) Pavement is minimized when possible by, among other things, using shared parking areas and/or permeable parking surfaces where feasible and allowed under NCC ch. 36, the zoning ordinance of the City, and the City Engineering Design Criteria.
- (v) Cluster development has been utilized as a means to develop the Greenbelt System.
- (w) Structures, other than utility transmission poles or substations, were located to maximize greenbelt and trail opportunities.

(Code 1976, § 4-2028; Ord. No. O-1011-6, § 7) **SECTION 13:** <u>REPEAL</u> "2-333 Policy For Acquiring Greenways, Trails, And Other Green Space" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-333 Policy For Acquiring Greenways, Trails, And Other Green Space (Repealed)

Easements accepted, purchased, or otherwise acquired by the City for the purposes of expanding or enhancing the Greenbelt System shall be acquired in accordance with the guidelines and policies contained herein and in the City subdivision regulations as may be amended from time to time.

(Code 1976, § 4-2029; Ord. No. O-1011-6, § 8)

**SECTION 14: REPEAL** "DIVISION 2-III-16 TREE BOARD" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

DIVISION 2-III-16 TREE BOARD RESERVED

**SECTION 15:** <u>AMENDMENT</u> "2-346 Duties And Powers Of The Tree Board" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

# 2-346 Duties And Powers Of The Tree Board (Reserved)

- (a) *Purpose*. It is the purpose of this division to promote and protect the public health, safety and general welfare by providing for the development of a community forestry plan to address the planting, maintenance, and removal of public trees, street trees, and shrubs within the City in order to promote, maintain and improve the urban forest resource of the City. It is not the intent of this division for the City to assume responsibility for trees planted in the rights-of-way by adjacent property owners other than for removal as needed due to damage, hazard, or disease.
- (b) Applicability. This division is applicable to trees and shrubs located within street rights-of-way, drainage easements, public parks and on other public property within the City. *Definitions*. The following words and phrases, when used in this division,

shall have the meanings ascribed to them in this subsection, except where the context otherwise requires:

Private trees mean all trees and shrubs other than public or street trees.

Public property means, and shall include any land owned by the City, any real property including parks, easements, and other lands which are owned by the City or held by it in trust for the benefit of the public.

Public trees and shrubs means all trees and shrubs for which any portion of the trunk is located on public property.

Street rights-of-way means a strip of land acquired by purchase, reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a roadway or street.

Street trees means all trees and shrubs for which any portion of the trunk is located on street rights-of-way within the City.

- (e) Authority. There is hereby created and established a City Tree Board for the City. The City Tree Board shall consist of a total of nine members comprised of residents of the City. The members shall be appointed at-large by the Mayor, with approval of the City Council based on their interest or expertise regarding urban forestry. All members shall serve without compensation and may be removed by the City Council, as provided in this Code. City staff and administrative guidance shall be provided to the City Tree Board by the Parks and Recreation Department or by other City departments as necessary. The implementation of the activities associated with this division shall be dependent upon the City Council's ability to provide funds on an annualized basis. Term of office. The term of the nine persons to be appointed by the Mayor shall be three years, except that the term of three of the members appointed to the first Board shall be for only one year and the term of three members of the first Board shall be for two years. In the event that a vacancy shall occur during the term of any member, the successor shall be appointed by the Mayor with approval by the City Council for the unexpired portion of the term.
- (d) Ouorum and operation. Ouorum. At any meeting of the City Tree Board, a quorum shall consist of five of the appointed members. No action shall be taken in the absence of a quorum. Five affirmative votes shall be required to pass any measure. *Meeting*. The City Tree Board shall meet as required in the furtherance of its duties set forth herein. Board officers. The City Tree Board shall elect a Chairman from its members and shall create and fill such other offices as deemed necessary. The term of the Chairman shall be one year with eligibility for reelection for no more than three consecutive terms. Other operations. The City Tree Board may develop bylaws or other rules of operation, establish subcommittees, develop and recommend to the City Council regulations, standards and specifications to be adopted separate from or as a part of this division as deemed necessary. Community forestry plan. It shall be the responsibility of the City Tree Board to study, investigate, counsel and develop and/or update periodically a written plan for the eare, preservation, trimming, planting, replanting, removal or disposition of street trees, public trees and shrubs. Such plan shall incorporate an inventory of the existing street trees, public trees and shrubs. The Tree Board shall ensure that the plan will be in conformance with the goals and objectives of the current City land use and transportation plan by submittal to the

- Planning Commission for review and approval. Upon approval and adoption of the recommended plan by the City Council, it shall constitute the official community forestry plan and become a part of the City land use and transportation plan.
- (e) Tree planting, maintenance and removal standards. Standards for the planting, maintenance and removal of trees are to be located within the community forestry plan. These standards shall not amend, abridge or modify the prohibition against obstructing motor vehicle operators' line of sight at intersections and entry points along streets. Tree species. The City Forester, with the approval of the City Tree Board, shall develop and maintain a list of suitable trees for planting along streets in three size elasses: Small, medium and large. A list of trees not suitable for planting shall also be ereated. Review by the City Council. The City Council shall have the right to review the acts and decisions of the City Tree Board. Exemptions. Property owned and used by the schools or any branch of the County, State or federal governments shall be exempt from the provisions of these regulations. Prior to any tree or shrub being planted in any street right-of-way or public property, as defined above, within the Downtown Revitalization Area or in the Project Area of the Campus Corner Revitalization Project Plan Area and Increment District, a permit must be obtained from the City Forester. The purpose of this permit is to ensure that any trees or shrubs planted within this designated area are consistent with the overall community forestry plan. The Forester shall determine the criteria for granting a permit based upon, but not limited to, the species of tree or shrub, the time of year of planting and a proposed watering plan. In the event a tree or shrub is planted without the proper permit, a tenday notice shall be given to the property owner to either remove the tree or shrub or obtain a permit. In the event that no permit is obtained or the tree or shrub is not removed, then the City Forester shall remove the tree or shrub.
- (f) Permit required.
  - (1) The project areas are described as: The Downtown Revitalization Area; and The Campus Corner Revitalization Project Plan Area and Increment District pursuant to each district's map on file in the office of the City Clerk. Report. In locations where a public hazard is created by a street tree, public tree or shrub the appropriate City department shall cause the abatement of the hazard and subsequently submit a report to the City Tree Board.

(Code 1976, § 4-1301; Ord. No. O-0102-44; Ord. No. O-0304-21; Ord.

No. O-

1011-27, § 1)

**SECTION 16:** <u>AMENDMENT</u> "10-201 Definitions" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

10-201 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Campaign committee means a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to municipal office, whose name as it will appear on the ballot shall appear in the name of the committee.

*Candidate* means any person who publicly seeks nomination or election to any elective municipal office in the City government.

*Election* means any municipal election, municipal runoff election, or special election held in the City at which candidates for public office are voted upon.

Municipal office means any elective municipal office for which declarations of candidacy are filed with the Secretary of the County Election Board as required by 11 O.S. §§ 16-109 and 16-110.

*Municipal Political Committee* means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for municipal office, but which is not required to register with the Ethics Commission or the Federal Election Commission.

Norman Election Commission means a fiveseven-member committee, appointed by the Mayor and approved by a majority of the City Council to serve three-year staggered terms. The terms of initial appointments shall be adjusted so as to provide that no more than two terms shall expire in any one year; subsequent appointments shall be for three-year terms.

(Code 1976, § 7.5-21; Ord. No. O-1415-23, § 1)

**SECTION 17:** <u>AMENDMENT</u> "36-570 Board Of Adjustment" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

## 36-570 Board Of Adjustment

- (a) Establishment of a Board of Adjustment and proceedings thereof. A Board of Adjustment and rules for the conduct of proceedings are hereby established, as provided in NCC 2-III and 2-IV.
- (b) Duties of an administrative official, Board of Adjustment, City Council, and courts on matters of appeal.
  - (1) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to an administrative official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of an administrative official, and that recourse from the decision of the Board of Adjustment shall be by appeal to the District Court as herein provided.
  - (2) It is further intent of this chapter that the duties of the City Council, in connection with this chapter, shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as Stated in this section and this chapter. Under this chapter, the City Council shall have only the duties of:
    - a. Considering, adopting, or rejecting proposed amendments, or repealing this chapter, as provided by law; and
    - b. Establishing a schedule of fees for appeals hereunder for building permits and all other expenses connected with the enforcement of this chapter.
- (c) *Powers*. The Board of Adjustment shall have the following powers:
  - (1) Upon proper application, to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official, as well as the Historic District Commission, in the enforcement of this chapter or any other ordinance adopted pursuant thereto.
  - (2) Upon proper application to hear and decide special exceptions to the terms of this chapter as hereinafter enumerated in subsection (g) of this section and as enumerated in NCC ch. 28.
  - (3) Upon proper application, to hear and authorize in specific cases such variances from the terms of this chapter as are allowed under subsection (j) of this section.
- (d) Decisions of the Board of Adjustment.
  - (1) In exercising the above-mentioned powers, the Board of Adjustment shall reverse or affirm, wholly or in part, shall modify the order, requirement, decision, or determination appealed from, shall make such order, requirement, decision, or determination as ought to be made, so long as such action is in conformity with the terms of this chapter, and to that end shall have the powers of an administrative official from whom the appeal is taken.
  - (2) The concurring vote of three four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the administrative

official, to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to affect any variation in the application of this chapter.

- (e) Appeals from the Board of Adjustment.
  - (1) Any person, Board, taxpayer, department, or bureau of the City aggrieved by any decision of the Board of Adjustment may, within ten days after the meeting wherein such decision was reached, seek review by the District Court and also by filing a copy with the City Clerk and with the Chairman of the Board of Adjustment, a notice of appeal, which said notice shall specify in detail the grounds of such appeal. Upon filing of the notice of appeal, as herein provided, said Board shall forthwith cause to be transmitted to the Court Clerk of the District Court the original, or certified copies, of all the papers constituting the record in the case, together with the order, decision, or ruling of the Board. Said case shall be heard and tried de novo in the District Court as in all other civil actions. Failure to file an appeal shall mean the Board's action is considered final.
  - (2) An appeal to the District Court from the Board of Adjustment stays all proceedings and the action appealed from unless the Chairman of the Board of Adjustment, from which the appeal is taken, certifies to the Court Clerk after the notice of appeal has been filed, that by reason of fact Stated in the certificate a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the District Court upon application or notice to an administrative official in charge of the enforcement of the terms and provisions of this chapter, upon notice to the Chairman of the Board of Adjustment from which the appeal is taken, and upon due cause being shown the Court may reverse or affirm, wholly or partly, or modify, the decision brought up for review.
- (f) Procedure for appeal of the decision of an administrative official or Historic District Commission to the Board of Adjustment. Appeals may be taken to the Board of Adjustment by any person aggrieved or by any officer or bureau of the governing body of said City affected by any decision of an administrative official concerning interpretation or administration of this chapter. Such appeals shall be taken within a reasonable time, not to exceed 30 days, by filing with an administrative official and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. In addition, such person shall deposit with the Planning and Community Development Department a fee of \$150.00 to cover the cost and expense of appeal to the Board of Adjustment.
  - (1) An administrative official shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken
  - (2) The Board of Adjustment shall fix a reasonable time for the hearing of an appeal give public notice thereof, as well as due notice to the parties in interest, and shall decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

- (3) An appeal stays all proceedings in furtherance of the action appealed from unless an administrative official from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him, that by reason of fact Stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by restraining order, which may be granted by the Board of Adjustment or by a court of competent jurisdiction upon application, upon notice to an administrative official from whom the appeal is taken, and upon due cause being shown.
- (g) Special exceptions defined and enumerated.
  - (1) The term "special exception" means a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter.
  - (2) The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:
    - a. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
    - b. To interpret the provisions of the ordinance where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts, which map is attached to and made a part of this ordinance.
    - c. To grant exceptions to the off-street parking requirements as set forth in Article 36, Section 548, when it is determined that the size and shape of the lot to be built on is such that off-street parking provisions could not be complied with, that the proposed use of land is similar in nature to adjacent land uses, and that the proposed use will not create undue traffic congestion in the adjacent streets.
    - d. To permit new structures and substantial improvements to be erected in the designated floodway of the Flood Hazard District on a lot of one-half acre or less in size contiguous to and surrounded by lots of existing structures constructed below the base flood level when (1) good and sufficient cause is shown (2) it is determined that the exception is the minimum necessary (considering the flood hazard) to afford relief, and (3) that the granting of the exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing ordinances.
    - e. To allow the continued use of a legal non-conforming gravel driveway and/or parking area within the Central Core Area (as defined) when it can be determined that both of the following conditions are met (1) the parking area has existed since July 1966,

- and (2) the owner has agreed to install permanent of semi-permanent borders to aid in visually verifying the actual extent of usage.
- f. Where an ADU is not already existing on a parcel, to permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship. The application must include a doctor's statement indicating that the patient is in need of the care of his or her family. The mobile home must meet all City of Norman Building Code requirements and State of Oklahoma requirements for septic systems. The Exception can be approved for up to three years on any lot that is five acres or greater in the A-2 zoning district. The Exception can be renewed every three years by filing an application for an administrative extension, including a new doctor's statement. Only two (2) administrative extensions may be granted. If a third extension is needed, a new application will be required for Board of Adjustment review. Once the need for the mobile home no longer exists, the mobile home must be removed. While an applicant utilizes this special exception, an ADU may not be added to the same parcel.
- (h) *Procedure for application for special exceptions*. Applications may be taken to the Board of Adjustment for special exceptions to this chapter, above-defined and enumerated in subsection (g) of this section, by any person aggrieved or by any officer or bureau of the governing body of said City. A special exception shall not be granted by the Board of Adjustment unless and until:
  - (1) An applicant shall submit to the Board of Adjustment a written application for said special exception indicating the section of this chapter under which the special exception is sought and stating the grounds upon which it is requested. An application for a special exception to the provisions of NCC ch. 28 shall include the following plans and information:
    - a. The name, address, and telephone number of the owner or person entitled to possession of the sign and of the sign contractor or erector;
    - b. The location by street address of the proposed sign structure;
    - c. A site plan, drawn to scale, showing the location of the proposed sign, the location of existing or proposed buildings or other structures on the lot, the location of existing signs and proposed signs on the premises, the location of public rights-of-way on or adjacent to the property, and the location of vehicular entrances or exits on the property;
    - d. Elevation drawings of the proposed sign, drawn to scale, showing major dimensions of the proposed sign, including height, clearance above sidewalks and distance of projection from the building, proposed sign copy, and pertinent architectural details and location of any landscaping to be provided in connection with the sign;
    - e. Type and location of proposed illumination;
    - f. Elevation or perspective drawings, or photographs, showing the architectural design and construction materials of existing or proposed

- building on the lot, when such information is pertinent to the application;
- g. Any additional information which the applicant feels may support the request.
- (2) A fee of \$200.00 shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment.
- (3) The applicant shall submit with each application a list of names and addresses of all record property owners within a 300-foot-radius of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than 15 individual property owners of separate parcels or until a maximum radius of 1,000 feet has been reached. Said list shall be current and certified by a professional engineer, an attorney, a registered surveyor, a bonded abstractor, or the County Assessor. Maps and forms to accomplish the above requirement will be available at the City Planning and Community Development Department.
- (4) Upon receipt of said written application, fee, and list, notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the City not less than ten days before the meeting of the Board. In addition, notice by the Chairman of said Board to all owners of property within a 300-foot or larger radius of the exterior boundary of the subject property shall be mailed not less than ten days before the meeting of the Board. Said notice shall contain:
  - a. Legal description of the property and the street address or approximate location in the City;
  - b. Present zoning classification of the property and the nature of the exception requested;
  - c. Date, time, and place of hearing.

A copy of the published notice may be mailed in lieu of written notice. However, no notice of hearing shall be required on hearings involving minor exceptions, and the Board shall set forth in its statement of policy what constitutes minor exceptions. Such minor exceptions shall be approved by the City Council.

- (i) Hearing of the Board of Adjustment on a special exception. The public hearing shall be held in accordance with the following provisions:
  - (1) At said hearing, any party may appear in person or by agent or attorney;
  - (2) In those instances where a special exception is granted the Board of Adjustment shall make a finding that the granting of such special exception will not adversely affect the public interest;
  - (3) In granting any special exception, the Board of Adjustment shall prescribe the appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this chapter and punishable under the penalty sections of this chapter. The

Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

- (j) *Variance defined*. The term "variance" means a relaxation of the terms of this chapter, when such variance will not be contrary to the public interest, and where, owing to the conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship, as hereinafter defined. As in this chapter a variance is authorized for any development standard contained in NCC 36-III and 36-IV except where a special exception is defined and enumerated in NCC 36-570.
- (k) Procedure for application for variances. The Board of Adjustment shall have the power to authorize, upon appeal in specific cases, such variances from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions would result in an unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:
  - (1) An applicant shall submit to the Board of Adjustment a written application indicating:
    - a. That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;
    - b. That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
    - c. That the special conditions and circumstances do not result from the actions of the applicant;
    - d. That granting the variances requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structure, or buildings in the same district;

No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

- (2) A fee of \$200.00 shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment;
- (3) The applicant shall submit with each application a list of names and addresses of all record property owners within a 300-foot-radius of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than 15 individual property owners of separate parcels or until a maximum radius of 1,000 feet has been reached. Said list shall be current and certified by a professional engineer, an attorney, a registered surveyor, a bonded abstractor, or the County Assessor. Maps and forms to accomplish the above requirement will be available at the City Planning and Community Development

## Department;

- (4) Upon receipt of said written application, fee, and list, notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the City not less than ten days before the meeting of the Board. In addition, notice of public hearing shall be given by mailing written notice by the Chairman of said Board to all owners of property within a 300-foot or larger radius of the exterior boundary of the subject property. Said notice shall contain:
  - a. Legal description of the property and the street address or approximate location in the City;
  - b. Present zoning classification of the property and the nature of the variance requested;
  - c. Date, time, and place of hearing.

Said written notice shall be mailed not less than 15 days before the meeting of the Board. A copy of the published notice may be mailed in lieu of written notice. However, no notice of hearing shall be required on hearings involving minor variances, and the Board shall set forth in its statement of policy what constitutes minor variances. Such minor variance shall be approved by the City Council.

- (5) A variance from the terms of NCC ch. 28 shall not be granted by the Board of Adjustment unless and until an applicant shall comply with all provisions of this section and also indicate by written application that:
  - a. There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all business or enterprises.
  - b. The variance would be in general harmony with the purposes of this Code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located.
  - c. The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.
- (6) A minor variance may be granted by the Board of Adjustment for an encroachment upon any required building setback line when that encroachment represents approximately ten percent of the required yard or involves only a minor portion of the structure.
  - a. A minor variance may be granted only upon a finding by the Board of Adjustment that the application of the ordinance to the particular property would create an unnecessary hardship, that there are peculiar conditions of the property which contributed to the encroachment, and relief, if granted, would not cause detriment to the surrounding properties or the public good, or impair the purposes and intent of the

ordinance.

- b. A fee of \$300.00 dollars shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment.
- c. The applicant shall submit with each application an accurate list of names and addresses of all record property owners adjacent to, or directly across the street, from the subject property. Notice, by certified mail, shall be mailed not less than ten days before the meeting of the Board, and shall contain the facts listed in subsection (1)(4) of this section.
- (l) *Hearing of the Board of Adjustment on a variance*. The public hearing shall be held in accordance with the following provisions:
  - (1) At said hearing, any party may appear in person or by agent or attorney;
  - (2) The Board of Adjustment shall make a finding that the requirements of subsection (l)(1) of this section have been met by the applicant for variance;
  - (3) The Board of Adjustment shall further make a finding that the reason set forth in the application justifies the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, structure, or building;
  - (4) The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the purpose and intent of this chapter, will not be injurious to the neighborhood, or will not be otherwise detrimental to the public welfare;
  - (5) The Board of Adjustment, in granting any variance, shall prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and shall be punishable under the penalty section of this chapter;
  - (6) The Board of Adjustment shall under no circumstances grant a variance to allow a use not permissible under the applicable terms of this chapter or other general ordinance of said City with respect to the use district concerned, nor shall the Board of Adjustment hear or decide upon any matters that could be determined by regular zoning procedures before the Planning Commission and City Council of the City; nor grant any variance by reason of the existence of nonconforming uses in the district concerned or in adjoining districts;
  - (7) For the purposes of this chapter, the term "hardship" means a hardship peculiar to the property of the applicant that is of such a degree of severity that its imposition is not necessary to carry out the spirit of this chapter and that would amount to substantial and unnecessary waste of the property;
  - (8) The Board of Adjustment shall not have the authority to grant any variance which would increase the maximum permitted sign area on a single lot or building as specified in this code, or to allow any sign classified as a prohibited sign as specified in NCC 28-403.

(m) *Provisions of chapter declared to be minimum requirements*. The provisions of this chapter, in their interpretation and application, shall be held to be minimum requirements adopted for the promotion of public health, safety, morals, or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any of the lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standard shall govern.

(Ord. No. O-7778-70, 6-27-1978; Ord. No. O-7879-41, 3-27-1979; Ord. No. O-7879-41, 1-30-1979; Ord. No. O-8586-86, 5-27-1986; Ord. No. O-8788-48, 5-10-1988; Ord. No. O-8990-43, 7-10-1990; Ord. No. O-9091-10, 12-11-1990; Ord. No. O-9192-43, 4-28-1992; Ord. No. O-9192-48, 4-28-1992; Ord. No. O-9394-19, 12-28-1993; Ord. No. O-0405-30, 1-24-2006; Ord. No. O-0506-35, 2-28-2006; Ord. No. O-1314-15, 4-22-2014; Ord. No. O-1920-44, 7-23-2020; Ord. No. O-1920-51, 7-23-2020; Ord. No. O-2021-31; Ord. No. O-2223-20, 1-24-23)

**SECTION 18:** <u>SEVERABILITY CLAUSE</u> Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

AYE NAY ABSENT ABSTAIN

Presiding Officer

Attest

Larry Heikkila, Mayor, City of Norman

Brenda Hall, City Clerk, City of Norman

# CITY OF NORMAN ORDINANCE 0-2425-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 2-III, DIVISION 2-III-1, SECTION 2-301 OF THE CODE OF THE CITY OF NORMAN INCREASING THE NUMBER OF PERSONS FOR THE BOARD OF ADJUSTMENT FROM FIVE TO SEVEN, AMENDING CITY PLANNING COMMISSION MEMBERSHIP TO REQUIRE A PERSON FROM EACH WARD AND ONE AT-LARGE PERSON, DECREASING THE TERMS OF PERSONS ON THE BOARD OF APPEALS FROM FOUR TO THREE YEAR TERMS, AND ADDING NORMAN ELECTION COMMISSION: SEVEN PERSONS WITH THREE-YEAR TERMS; AMENDING DIVISION 2-III-6, SECTION 3-216, ADDING OVERSIGHT OVER TREE PROTECTION TO THE BOARD OF PARK COMMISSIONERS AUTHORITY; REPEALING DIVISION 2-III-9, GREENBELT COMMISSION IN ITS ENTIRETY; REPEALING DIVISION 2-III-16, TREE BOARD IN ITS ENTIRETY; AMENDING ARTICLE 10-II, SECTION 10-201, NORMAN ELECTION COMMISSION, TO CHANGE A FIVE MEMBER COMMITTEE TO SEVEN; AND AMENDING ARTICLE 36-V-4, SECTION 36-570(A)(2) TO INCREASE THE CONCURRING VOTE REQUIRED FOR THE BOARD OF ADJUSTMENT FROM THREE TO FOUR MEMBERS.

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "2-301 Appointive Boards And Commissions; Appointments; Terms Of Office" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

2-301 Appointive Boards And Commissions; Appointments; Terms Of Office

The appointed members of the following boards and commissions shall first be nominated by the Mayor and then confirmed by a majority of the Council and the number of appointive members of each respective body and their overall respective terms of office shall be as listed below:

- (a) Board of Adjustment: seven persons for three-year terms.
- (b) Norman Regional Hospital Authority: Nine persons for three-year terms.
- (c) Board of Park Commissioners: Nine persons for three-year terms;
- (d) Environmental Control Advisory Board: Nine persons for three-year terms.
- (e) Human Rights Commission: Nine persons for three-year terms.
- (f) Library Board: Nine persons for three-year terms.

- (g) City Planning Commission: Nine persons for three-year terms.
- (h) Public Housing Authority: Five persons for three-year terms.
- (i) Social and Voluntary Services Commission: Nine persons for three-year terms.
- (j) Board of Appeals: Five persons and one alternate for three-year terms.
- (k) Historic District Commission: Nine persons for three-year terms
- (l) Economic Development Advisory Board: Seven persons for three-year terms.
- (m) Norman Election Commission: Seven persons for three-year terms.

(Code 1976, § 4-101; Ord. No. O-7475-31; Ord. No. O-7677-31; Ord. No. O-7879-20; Ord. No. O-8081-55; Ord. No. O-8081-69; Ord. No. O-8283-40; Ord. No. O-8384-136; Ord. No. O-8889-11; Ord. No. O-9091-23; Ord. No. O-9293-31; Ord. No. O-0001-39; Ord. No. O-1213-42, § 1)

**SECTION 2:** <u>AMENDMENT</u> "2-316 Duties And Powers Of The Board" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

#### 2-316 Duties And Powers Of The Board

The Board of Park Commissioners shall advise the City Council on policies pertaining to the use of the park and recreational facilities of the City and, pursuant thereto:

- (a) Propose rules and regulations for the maintenance of order, safety, and decency in those parks and recreational facilities;
- (b) Consider and investigate any matter affecting the development and improvement of parks and recreational facilities and policies pertaining to the use of those facilities;
- (c) Make recommendations to improve the park and recreational facilities;
- (d) Make recommendations regarding systems of supervised recreation, and modifications in existing recreational programs;
- (e) Act as the presiding authority over the matters contained in NCC 16-IX, with review and oversight by the City Council;
- (f) Provide copies of the minutes of its meetings to the office of the City Clerk within ten days from the date of their approval; and
- (g) Provide an annual report of the Board's acts and affairs.

(Code 1976, § 4-501; Ord. No. O-7475-31)

**SECTION 3:** <u>REPEAL</u> "DIVISION 2-III-9 GREENBELT COMMISSION" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

## **DIVISION 2-III-9 RESERVED**

**SECTION 4:** REPEAL "2-324 Purpose" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-324 Purpose

(Code 1976, § 4-2021; Ord. No. O-0304-71)

**SECTION 5:** REPEAL "2-325 Authority" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-325 Authority

(Code 1976, § 4-2022; Ord. No. O-0304-71; Ord. No. O-1011-6, § 1)

**SECTION 6:** REPEAL "2-326 Duties And Powers Of The Greenbelt Commission" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-326 Duties And Powers Of The Greenbelt Commission

(Code 1976, § 4-2023; Ord. No. O-0304-71; Ord. No. O-1011-6, § 2)

**SECTION 7:** <u>AMENDMENT</u> "2-327 Definitions" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

2-327 Definitions

(Code 1976, § 4-2023A; Ord. No. O-1011-6, § 3)

**SECTION 8: REPEAL** "2-328 Expenditure Of City Funds, Compensation, Reimbursement Of Expenses" of the City of Norman Municipal Code is hereby *repealed* as follows:

# REPEAL

2-328 Expenditure Of City Funds, Compensation, Reimbursement Of Expenses

(Code 1976, § 4-2024; Ord. No. O-0304-71)

**SECTION 9: REPEAL** "2-329 Review By The City Council" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-329 Review By The City Council

(Code 1976, § 4-2025; Ord. No. O-0304-71; Ord. No. O-1011-6, § 4)

**SECTION 10:** REPEAL "2-330 Specific Principles, Purposes And Goals Of The Greenbelt System" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

2-330 Specific Principles, Purposes And Goals Of The Greenbelt System

(Code 1976, § 4-2026; Ord. No. O-1011-6, § 5)

Item 17.

**SECTION 11:** REPEAL "2-331 Greenbelt Enhancement Statements" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

2-331 Greenbelt Enhancement Statements

(Code 1976, § 4-2027; Ord. No. O-1011-6, § 6)

**SECTION 12:** <u>AMENDMENT</u> "2-332 Guidelines For Evaluating Greenbelt Enhancement Statements" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

2-332 Guidelines For Evaluating Greenbelt Enhancement

. . .

1976, § 4-2028; Ord. No. O-1011-6, § 7)

**SECTION 13:** <u>REPEAL</u> "2-333 Policy For Acquiring Greenways, Trails, And Other Green Space" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

2-333 Policy For Acquiring Greenways, Trails, And Other Green Space

(Code 1976, § 4-2029; Ord. No. O-1011-6, § 8)

**SECTION 14: REPEAL** "DIVISION 2-III-16 TREE BOARD" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

#### **DIVISION 2-III-16 RESERVED**

**SECTION 15:** <u>AMENDMENT</u> "2-346 Duties And Powers Of The Tree Board" of the City of Norman Municipal Code is hereby *amended* as follows:

## **AMENDMENT**

2-346 Duties And Powers Of The Tree

(Code 1976, § 4-1301; Ord. No. O-0102-44; Ord. No. O-0304-21; Ord. No. O-1011-27, § 1)

**SECTION 16:** <u>AMENDMENT</u> "10-201 Definitions" of the City of Norman Municipal Code is hereby *amended* as follows:

## **AMENDMENT**

10-201 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Campaign committee means a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to municipal office, whose name as it will appear on the ballot shall appear in the name of the committee.

*Candidate* means any person who publicly seeks nomination or election to any elective municipal office in the City government.

*Election* means any municipal election, municipal runoff election, or special election held in the City at which candidates for public office are voted upon.

Municipal office means any elective municipal office for which declarations of candidacy are filed with the Secretary of the County Election Board as required by 11 O.S. §§ 16-109 and 16-110.

Municipal Political Committee means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for municipal office, but which is not required to register with the Ethics Commission or the Federal Election Commission.

*Norman Election Commission* means a seven-member committee, appointed by the Mayor and approved by a majority of the City Council to serve three-year staggered terms. The terms of

initial appointments shall be adjusted so as to provide that no more than two terms shall expire in any one year; subsequent appointments shall be for three-year terms.

(Code 1976, § 7.5-21; Ord. No. O-1415-23, § 1)

**SECTION 17:** <u>AMENDMENT</u> "36-570 Board Of Adjustment" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

# 36-570 Board Of Adjustment

- (a) Establishment of a Board of Adjustment and proceedings thereof. A Board of Adjustment and rules for the conduct of proceedings are hereby established, as provided in NCC 2-III and 2-IV.
- (b) Duties of an administrative official, Board of Adjustment, City Council, and courts on matters of appeal.
  - (1) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to an administrative official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of an administrative official, and that recourse from the decision of the Board of Adjustment shall be by appeal to the District Court as herein provided.
  - (2) It is further intent of this chapter that the duties of the City Council, in connection with this chapter, shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as Stated in this section and this chapter. Under this chapter, the City Council shall have only the duties of:
    - a. Considering, adopting, or rejecting proposed amendments, or repealing this chapter, as provided by law; and
    - b. Establishing a schedule of fees for appeals hereunder for building permits and all other expenses connected with the enforcement of this chapter.
- (c) *Powers*. The Board of Adjustment shall have the following powers:
  - (1) Upon proper application, to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official, as well as the Historic District Commission, in the enforcement of this chapter or any other ordinance adopted pursuant thereto.
  - (2) Upon proper application to hear and decide special exceptions to the terms of this chapter as hereinafter enumerated in subsection (g) of this section and as enumerated in NCC ch. 28.
  - (3) Upon proper application, to hear and authorize in specific cases such

variances from the terms of this chapter as are allowed under subsection (j) of this section.

- (d) Decisions of the Board of Adjustment.
  - (1) In exercising the above-mentioned powers, the Board of Adjustment shall reverse or affirm, wholly or in part, shall modify the order, requirement, decision, or determination appealed from, shall make such order, requirement, decision, or determination as ought to be made, so long as such action is in conformity with the terms of this chapter, and to that end shall have the powers of an administrative official from whom the appeal is taken.
  - (2) The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the administrative official, to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to affect any variation in the application of this chapter.
- (e) Appeals from the Board of Adjustment.
  - (1) Any person, Board, taxpayer, department, or bureau of the City aggrieved by any decision of the Board of Adjustment may, within ten days after the meeting wherein such decision was reached, seek review by the District Court and also by filing a copy with the City Clerk and with the Chairman of the Board of Adjustment, a notice of appeal, which said notice shall specify in detail the grounds of such appeal. Upon filing of the notice of appeal, as herein provided, said Board shall forthwith cause to be transmitted to the Court Clerk of the District Court the original, or certified copies, of all the papers constituting the record in the case, together with the order, decision, or ruling of the Board. Said case shall be heard and tried de novo in the District Court as in all other civil actions. Failure to file an appeal shall mean the Board's action is considered final.
  - (2) An appeal to the District Court from the Board of Adjustment stays all proceedings and the action appealed from unless the Chairman of the Board of Adjustment, from which the appeal is taken, certifies to the Court Clerk after the notice of appeal has been filed, that by reason of fact Stated in the certificate a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the District Court upon application or notice to an administrative official in charge of the enforcement of the terms and provisions of this chapter, upon notice to the Chairman of the Board of Adjustment from which the appeal is taken, and upon due cause being shown the Court may reverse or affirm, wholly or partly, or modify, the decision brought up for review.
- (f) Procedure for appeal of the decision of an administrative official or Historic District Commission to the Board of Adjustment. Appeals may be taken to the Board of Adjustment by any person aggrieved or by any officer or bureau of the governing body of said City affected by any decision of an administrative official concerning

interpretation or administration of this chapter. Such appeals shall be taken within a reasonable time, not to exceed 30 days, by filing with an administrative official and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. In addition, such person shall deposit with the Planning and Community Development Department a fee of \$150.00 to cover the cost and expense of appeal to the Board of Adjustment.

- (1) An administrative official shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken.
- (2) The Board of Adjustment shall fix a reasonable time for the hearing of an appeal give public notice thereof, as well as due notice to the parties in interest, and shall decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.
- (3) An appeal stays all proceedings in furtherance of the action appealed from unless an administrative official from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him, that by reason of fact Stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by restraining order, which may be granted by the Board of Adjustment or by a court of competent jurisdiction upon application, upon notice to an administrative official from whom the appeal is taken, and upon due cause being shown.
- (g) Special exceptions defined and enumerated.
  - (1) The term "special exception" means a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter.
  - (2) The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:
    - a. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
    - b. To interpret the provisions of the ordinance where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts, which map is attached to and made a part of this ordinance.
    - c. To grant exceptions to the off-street parking requirements as set forth in Article 36, Section 548, when it is determined that the size and shape of the lot to be built on is such that off-street parking provisions could not be complied with, that the proposed use of land is similar in

- nature to adjacent land uses, and that the proposed use will not create undue traffic congestion in the adjacent streets.
- d. To permit new structures and substantial improvements to be erected in the designated floodway of the Flood Hazard District on a lot of one-half acre or less in size contiguous to and surrounded by lots of existing structures constructed below the base flood level when (1) good and sufficient cause is shown (2) it is determined that the exception is the minimum necessary (considering the flood hazard) to afford relief, and (3) that the granting of the exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing ordinances.
- e. To allow the continued use of a legal non-conforming gravel driveway and/or parking area within the Central Core Area (as defined) when it can be determined that both of the following conditions are met (1) the parking area has existed since July 1966, and (2) the owner has agreed to install permanent of semi-permanent borders to aid in visually verifying the actual extent of usage.
- f. Where an ADU is not already existing on a parcel, to permit a mobile home to serve as a temporary second dwelling to relieve a medical hardship. The application must include a doctor's statement indicating that the patient is in need of the care of his or her family. The mobile home must meet all City of Norman Building Code requirements and State of Oklahoma requirements for septic systems. The Exception can be approved for up to three years on any lot that is five acres or greater in the A-2 zoning district. The Exception can be renewed every three years by filing an application for an administrative extension, including a new doctor's statement. Only two (2) administrative extensions may be granted. If a third extension is needed, a new application will be required for Board of Adjustment review. Once the need for the mobile home no longer exists, the mobile home must be removed. While an applicant utilizes this special exception, an ADU may not be added to the same parcel.
- (h) Procedure for application for special exceptions. Applications may be taken to the Board of Adjustment for special exceptions to this chapter, above-defined and enumerated in subsection (g) of this section, by any person aggrieved or by any officer or bureau of the governing body of said City. A special exception shall not be granted by the Board of Adjustment unless and until:
  - (1) An applicant shall submit to the Board of Adjustment a written application for said special exception indicating the section of this chapter under which the special exception is sought and stating the grounds upon which it is requested. An application for a special exception to the provisions of NCC ch. 28 shall include the following plans and information:

- a. The name, address, and telephone number of the owner or person entitled to possession of the sign and of the sign contractor or erector;
- b. The location by street address of the proposed sign structure;
- c. A site plan, drawn to scale, showing the location of the proposed sign, the location of existing or proposed buildings or other structures on the lot, the location of existing signs and proposed signs on the premises, the location of public rights-of-way on or adjacent to the property, and the location of vehicular entrances or exits on the property;
- d. Elevation drawings of the proposed sign, drawn to scale, showing major dimensions of the proposed sign, including height, clearance above sidewalks and distance of projection from the building, proposed sign copy, and pertinent architectural details and location of any landscaping to be provided in connection with the sign;
- e. Type and location of proposed illumination;
- f. Elevation or perspective drawings, or photographs, showing the architectural design and construction materials of existing or proposed building on the lot, when such information is pertinent to the application;
- g. Any additional information which the applicant feels may support the request.
- (2) A fee of \$200.00 shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment.
- (3) The applicant shall submit with each application a list of names and addresses of all record property owners within a 300-foot-radius of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than 15 individual property owners of separate parcels or until a maximum radius of 1,000 feet has been reached. Said list shall be current and certified by a professional engineer, an attorney, a registered surveyor, a bonded abstractor, or the County Assessor. Maps and forms to accomplish the above requirement will be available at the City Planning and Community Development Department.
- (4) Upon receipt of said written application, fee, and list, notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the City not less than ten days before the meeting of the Board. In addition, notice by the Chairman of said Board to all owners of property within a 300-foot or larger radius of the exterior boundary of the subject property shall be mailed not less than ten days before the meeting of the Board. Said notice shall contain:
  - a. Legal description of the property and the street address or

- approximate location in the City;
- b. Present zoning classification of the property and the nature of the exception requested;
- c. Date, time, and place of hearing.

A copy of the published notice may be mailed in lieu of written notice. However, no notice of hearing shall be required on hearings involving minor exceptions, and the Board shall set forth in its statement of policy what constitutes minor exceptions. Such minor exceptions shall be approved by the City Council.

- (i) Hearing of the Board of Adjustment on a special exception. The public hearing shall be held in accordance with the following provisions:
  - (1) At said hearing, any party may appear in person or by agent or attorney;
  - (2) In those instances where a special exception is granted the Board of Adjustment shall make a finding that the granting of such special exception will not adversely affect the public interest;
  - (3) In granting any special exception, the Board of Adjustment shall prescribe the appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this chapter and punishable under the penalty sections of this chapter. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.
- (j) *Variance defined*. The term "variance" means a relaxation of the terms of this chapter, when such variance will not be contrary to the public interest, and where, owing to the conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship, as hereinafter defined. As in this chapter a variance is authorized for any development standard contained in NCC 36-III and 36-IV except where a special exception is defined and enumerated in NCC 36-570.
- (k) *Procedure for application for variances*. The Board of Adjustment shall have the power to authorize, upon appeal in specific cases, such variances from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions would result in an unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:
  - (1) An applicant shall submit to the Board of Adjustment a written application indicating:
    - a. That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;

- b. That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
- c. That the special conditions and circumstances do not result from the actions of the applicant;
- d. That granting the variances requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structure, or buildings in the same district;

No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

- (2) A fee of \$200.00 shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment;
- (3) The applicant shall submit with each application a list of names and addresses of all record property owners within a 300-foot-radius of the exterior boundary of the subject property, said radius to be extended by increments of 100 linear feet until the list of property owners includes not less than 15 individual property owners of separate parcels or until a maximum radius of 1,000 feet has been reached. Said list shall be current and certified by a professional engineer, an attorney, a registered surveyor, a bonded abstractor, or the County Assessor. Maps and forms to accomplish the above requirement will be available at the City Planning and Community Development Department;
- (4) Upon receipt of said written application, fee, and list, notice of public hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the City not less than ten days before the meeting of the Board. In addition, notice of public hearing shall be given by mailing written notice by the Chairman of said Board to all owners of property within a 300-foot or larger radius of the exterior boundary of the subject property. Said notice shall contain:
  - a. Legal description of the property and the street address or approximate location in the City;
  - b. Present zoning classification of the property and the nature of the variance requested;
  - c. Date, time, and place of hearing.

Said written notice shall be mailed not less than 15 days before the meeting of the Board. A copy of the published notice may be mailed in lieu of written notice. However, no notice of hearing shall be required on hearings involving minor variances, and the Board shall set forth in its statement of policy what constitutes minor variances. Such minor variance shall be approved by the City Council.

(5) A variance from the terms of NCC ch. 28 shall not be granted by the Board of

Adjustment unless and until an applicant shall comply with all provisions of this section and also indicate by written application that:

- a. There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all business or enterprises.
- b. The variance would be in general harmony with the purposes of this Code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located.
- c. The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.
- (6) A minor variance may be granted by the Board of Adjustment for an encroachment upon any required building setback line when that encroachment represents approximately ten percent of the required yard or involves only a minor portion of the structure.
  - a. A minor variance may be granted only upon a finding by the Board of Adjustment that the application of the ordinance to the particular property would create an unnecessary hardship, that there are peculiar conditions of the property which contributed to the encroachment, and relief, if granted, would not cause detriment to the surrounding properties or the public good, or impair the purposes and intent of the ordinance.
  - b. A fee of \$300.00 dollars shall be paid to the Planning and Community Development Department to cover the cost and expense of the appeal to the Board of Adjustment.
  - c. The applicant shall submit with each application an accurate list of names and addresses of all record property owners adjacent to, or directly across the street, from the subject property. Notice, by certified mail, shall be mailed not less than ten days before the meeting of the Board, and shall contain the facts listed in subsection (1)(4) of this section.
- (l) *Hearing of the Board of Adjustment on a variance*. The public hearing shall be held in accordance with the following provisions:
  - (1) At said hearing, any party may appear in person or by agent or attorney;
  - (2) The Board of Adjustment shall make a finding that the requirements of subsection (l)(1) of this section have been met by the applicant for variance;
  - (3) The Board of Adjustment shall further make a finding that the reason set forth in the application justifies the granting of the variance and that the variance is

- the minimum variance that will make possible the reasonable use of the land, structure, or building;
- (4) The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the purpose and intent of this chapter, will not be injurious to the neighborhood, or will not be otherwise detrimental to the public welfare;
- (5) The Board of Adjustment, in granting any variance, shall prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and shall be punishable under the penalty section of this chapter;
- (6) The Board of Adjustment shall under no circumstances grant a variance to allow a use not permissible under the applicable terms of this chapter or other general ordinance of said City with respect to the use district concerned, nor shall the Board of Adjustment hear or decide upon any matters that could be determined by regular zoning procedures before the Planning Commission and City Council of the City; nor grant any variance by reason of the existence of nonconforming uses in the district concerned or in adjoining districts;
- (7) For the purposes of this chapter, the term "hardship" means a hardship peculiar to the property of the applicant that is of such a degree of severity that its imposition is not necessary to carry out the spirit of this chapter and that would amount to substantial and unnecessary waste of the property;
- (8) The Board of Adjustment shall not have the authority to grant any variance which would increase the maximum permitted sign area on a single lot or building as specified in this code, or to allow any sign classified as a prohibited sign as specified in NCC 28-403.
- (m) *Provisions of chapter declared to be minimum requirements*. The provisions of this chapter, in their interpretation and application, shall be held to be minimum requirements adopted for the promotion of public health, safety, morals, or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any of the lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standard shall govern.

(Ord. No. O-7778-70, 6-27-1978; Ord. No. O-7879-41, 3-27-1979; Ord. No. O-7879-41, 1-30-1979; Ord. No. O-8586-86, 5-27-1986; Ord. No. O-8788-48, 5-10-1988; Ord. No. O-8990-43, 7-10-1990; Ord. No. O-9091-10, 12-11-1990; Ord. No. O-9192-43, 4-28-1992; Ord. No. O-9192-48, 4-28-1992; Ord. No. O-9394-19, 12-28-1993; Ord. No. O-0405-30, 1-24-2006; Ord. No. O-0506-35, 2-28-2006; Ord. No. O-1314-15, 4-22-2014; Ord. No. O-1920-44, 7-23-2020; Ord. No. O-1920-51, 7-23-2020; Ord. No. O-2021-31; Ord. No. O-2223-20, 1-24-23)

**SECTION 18:** <u>SEVERABILITY CLAUSE</u> Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPT	ED BY THE CITY	OF NORMAN CITY C	COUNCIL
AYE	NAY	ABSENT	ABSTAIN
Presiding Officer		Attest	
Larry Heikkila, Mayor, City of		Brenda Hall, Ci	ty Clerk, City of
Norman	-	Norman	

## File Attachments for Item:

18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE 0-2425-23 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA. AMENDING ARTICLE 4-I, SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE: AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND UPDATING LANGUAGE THROUGHOUT FOR CONSISTENCY: DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM: REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN BEINGS; AMENDING SECTION 4-301(E) REQUIRING ACCREDITATION ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS: ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS: AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS: AMENDING SECTION 503(C), CONFINEMENT OF DOGS AND CATS; ADDING SECTION 4-510, COMMUNITY CATS; AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE NUISANCES.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Jeanne Snider, Assistant City Attorney

**PRESENTER:** Jeanne Snider, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-23 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 4-I, SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE; AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND **UPDATING** LANGUAGE THROUGHOUT FOR CONSISTENCY: DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM: REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN **ACCREDITATION AMENDING** SECTION 4-301(E) REQUIRING ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS; ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS; AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS: AMENDING SECTION 503(C), CONFINEMENT OF DOGS AND CATS: ADDING SECTION 4-510, COMMUNITY CATS; AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE NUISANCES.

## **BACKGROUND:**

The Norman Animal Welfare Center Staff proposed additions and amendments to Chapter 4 of the Norman City Code. Staff also proposed repealing Sec. 4-211 through 4-221 requiring pet licenses and other changes to reflect language consistent throughout Chapter 4.

## DISCUSSION;

Staff proposed adding the definitions of abandon, animal, community cat, community cat caregiver and revised the definition of Exotic Wildlife and Native Wildlife and Trap-Neuter-Return (TNR). Language has been added that it is unlawful for any person to keep, maintain or allow

to be maintained any exotic wildlife or species, as defined, which is venomous to human beings and added zoos must be AZA or ZAA certified.

The word "willfully" will be added to Sec. 4-601 Cruelty to Animals. The words "dog or cat" will be amended to "any animal" in Sec. 4-501 Abandonment of Cats and Dogs. Sec. 4-510 Community Cats will be added to the Norman City Code.

Sec. 4-211 through 4-221 requiring the purchase of pet licenses will be repealed. Staff advised microchipping is a more effective in registering pets and returning pets to their owners.

Changes to reflect the language consistent throughout the ordinance such as amending Animal Welfare Shelter to Animal Welfare Center and including the Shelter Supervisor are recommended.

## **RECOMMENDATION;**

Staff recommends Council approve the amendments listed above.

# CITY OF NORMAN ORDINANCE 0-2425-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 4-I, SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE; AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND UPDATING LANGUAGE THROUGHOUT FOR CONSISTENCY; DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM; REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN BEINGS; AMENDING SECTION 4-301(E) REQUIRING ACCREDITATION ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS; ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS; AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS; AMENDING SECTION 503(C), CONFINEMENT OF DOGS AND CATS; ADDING SECTION 4-510, COMMUNITY CATS; AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE **NUISANCES.** 

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "4-101 Definitions" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

## 4-101 Definitions

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

Abandon means the voluntary relinquishment of an animal including, but not limited to, vacating a premises and leaving the animal in or at the premises or leaving, dumping, discarding at the Norman Animal Center without Staff approval.

Adequate shelter means a structure or area of structural soundness with three sides, a waterproof roof, solid floor, adequate bedding material, positioned to allow for protection from north and west winds, proper ventilation, and which is suitable for the species, age, condition,

size and type of animal which is safe and protects each animal from injury, precipitation, direct sunlight, adverse effects of extreme heat or cold, enables the animal to be clean and dry, and has sufficient room for the animal to move about freely and to lie comfortably while allowing the retention of the animal's body heat. Wildlife, livestock, and other non-domesticated animals normally residing outdoors shall be only required to have appropriate shelter from extreme weather through natural or artificial means available to it to protect the animal.

#### Altered means:

- (a) *Neutered*. The term "neutered" means a process performed by a veterinarian or other person authorized by law, which removes the reproductive organs of any male animal as defined in O. S. title 4, ch. 14A, Dog and Cat Sterilization Act.
- (b) *Spayed*. The term "spayed" means a process performed by a veterinarian or other person authorized by law, which removes the reproductive organs of any female animal as defined in O. S. title 4, ch. 14A, Dog and Cat Sterilization Act.

*Animal* means any mammal, bird, fish, reptile or invertebrate, including wild and domesticated species, other than a human.

Animal Welfare Center means the facility designated and operated by the City, including the actual premises where animals are regularly kept, or places where the Animal Welfare Officer Supervisor, Animal Welfare Center Manager, or other designee may designate, for the purpose of keeping or impounding stray, neglected, abused or seized animals and provide adequate care before disposal of the animals as outlined in this chapter. The Animal Welfare Center includes a portion of the facility to provide for animal adoptions, education, citizen involvement, and spaying or neutering of animals before adoption from the facility.

Animal welfare group means a nonprofit organization which is registered with and approved by the City's Animal Welfare Center and has as one of its purposes the providing for the welfare and/or protection of animals. Approval may be refused to any animal welfare group if the Animal Welfare Officer Supervisor determines that the animal welfare group or one of its members meets one or more of the following:

- (a) Has a record of cruelty to animals;
- (b) Is under 18 years of age;
- (c) Has committed acts of harassment to animals;
- (d) Owns other animals which are in violation of any requirement of this chapter;
- (e) Refuses to comply with adoption requirement;
- (f) Has released two or more animals to the Animal Welfare Center in the past six months;
- (g) Lacks adequate housing and/or fencing to contain the animals; or
- (h) Has a conviction in municipal Court for any violation of this chapter.

At heel means within a radius of ten feet of the owner and obedient to the owner's commands.

At-large means a phrase indicating that an animal is:

- (a) Off the premises of its owner and not securely and physically restrained by means of harness, leash, or other device designed to restrain such animal.
- (b) Not confined on the premises of the owner or at heel on those premises.

Chicken coop means a small structure or enclosure where chickens nest, roost or perch and may include feeding and watering devices.

*Chicken run* means an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices.

*Community cat* means any outdoor, unowned, free-roaming kitten or adult cat that could be friendly, feral, healthy, sick, sterilized or unsterilized.

Community cat caregiver means a person who provides food, shelter or medical care to a community cat while not being considered the owner, custodian, harborer, controller or keeper of a community cat.

Confined on the premises means and indicates that an animal is securely and physically restrained on and within the premises of the owner by means of fences, leashes, walls, or other devices designed to prevent the animal from leaving those premises.

Dangerous animal means any animal whose behavior, temperament, size, or any combination thereof, when considered under the totality of the circumstances, including the nature of the surrounding area, constitutes a reasonable risk of injuring a human or animal or damaging personal or real property. That behavior includes, but is not limited to, an animals biting or attacking or attempting to attack a human or another animal. However, this definition shall not apply to any animal that has been subject to provocation or if the victim has been trespassing, as defined in NCC 24-505, upon the animal owner's premises.

Domesticated farm animal means any domestic species of cattle, sheep, swine, goats, llamas, or horses, or any other animals which are normally and have historically, been kept and raised on farms in the United States, and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber; in A-1 and A-2 zones only.

Exotic wildlife and native wildlife.

- (a) The following members of the Class Aves: Order Falconiformes (hawks, eagles, falcons and vultures) which are not kept pursuant to federal or state permit, and Order Ratites (ostriches, rheas, cassowaries and emus); or birds native to the continental United States and Alaska and all birds covered under the Lacey Act and Migratory Bird Act.
- (b) The following members of the Class Mammalia: Order Carnivora, Family Felidae (such as ocelots, margays, tigers, lions, panthers, jaguars, leopards and cougars, bobcat, lynx, cheetah, serval) except commonly accepted domesticated cats; the

Family Canidae (such as wolves, foxes, dingoes, coyotes and jackals), except domesticated dogs; Family Mustelidae (such as weasels, martins, minks and badgers); Family Procyonidae (such s raccoons or coatimundi); Family Ursidae (such as bears); Order Chiroptera (such as bats); Magnorder Xenarthra (such as sloths, anteaters and armadillos); Order Marsupialia (such as kangaroos and common opossums); Order Proboscidea (such as elephants); Order Primate (such as monkeys, lemurs, chimpanzees and gorillas); Order Rodentia (such as beavers, muskrats and porcupines); Order Perssodactyla (such as zebras and tapirs); Order Crocodilia (such as alligators); and any hybrid or cross-breed of any of the above-listed animals.

- (c) Except as expressly provided in this Chapter, exotic animals do not include:
  - (1) Nonpoisonous aquatic or amphibious animals, gerbils, hedgehogs, hamsters, guinea pigs, mice, rabbits, birds except for those listed in this definition, domestic rats, chinchillas, domestic honeybees, ferrets and those reptiles described in this definition as not prohibited.
  - (2) The families of reptiles listed below, since these reptiles pose no lifethreatening hazards to humans, provided that the reptiles are also owned in accordance with all state, federal and Convention of International Trade of Endangered Species (CITED) regulations that may apply.
    - a. The following Families of the Order Squamata Suborder Sauria:
      Family Gekkonidae (such as geckos); Family Agamidae (such as agamas); Family Iguanidae (such as anoles, swifts and iguanas);
      Family Cordylidae (such as ungazers and girdled lizards); Family Anguidae (such as alligator lizards, galliwasps and glass lizards);
      Family Varanidae (such as monitors); Family Lacertidae (such as wall lizards); Family Anniellidae (such as legless lizards); Family Teiidae
      9such as tegus and racerunners); Family Chamaeleonidae (such as chameleons); Family Scincidae such as skinks); Family Xenosauridae (such as knob-scaled lizard); Family Shinisauridae (such as crocodile lizard)
    - b. The following Families of the Order of Squamata, Suborder Ophidia; Family Leptotyphlopidae (such as blind and worm snakes); Family Boidae (such as boas and pythons); Family Colubridae, sub family Colubrinae (such as garter snakes, water snakes, gopher snakes, bull snakes, hognose snakes, ringneck green snakes, rate snakes, kingsnakes, corn snakes and racer snakes).
    - c. The following Families of the Order Testudines; Family Chelydridae (such as snapping turtles; Family Kinosternidae (such as musk turtles); Family Platysternidae (such as big-head turtles); Family Emydidae (such as painted turtles, slider turtles, box turtles and pond turtles); Family Testudinidae (such as tortoises); Family Trionychidae (such as soft-shelled turtles); Family Pelomedusidae (such as flat-headed turtles); and Family Chelidae (such asisidenecked turtles).

Exotic livestock means commercially raised exotic livestock including animals of the families bovidae, cervidae and antilocapridae or birds of the ratite group. Feral dog or cat

means a dog or cat that was either born in the wild or has reverted to a wild state due to abandonment or lack of domestication and has no owner. Any feral dog or cat which has been captured and neutered or spayed and returned to the wild shall continue to be classified as a feral animal.

Foster home means any premises owned by an individual who works under the direction of an approved Animal Welfare Group registered with the City who will take in stray or unowned dogs and/or cats, or other animals, for the purpose of providing temporary care up to 12 months for each animal. A temporary care extension may be requested for up to an additional six months for an animal, if there is proof of a documented medical condition that requires the extended temporary housing of the animal.

## Kennel classifications.

- (a) *Commercial kennel* means any business or establishment, whether operated separately or in connection with another business or establishment that keeps, boards, sells, shows, and/or trains dogs and/or cats for profit, except for an Animal Hospital as outlined in NCC 20-1401.
- (b) *Private kennel* means any premises which exceeds the allowable number of dogs and/or cats as described in this section, and the animals are kept as pets and not used for any other purpose other than companionship for their owners.
- (c) *Rescue kennel* means any facility operated by a non-profit Animal Welfare Group where dogs and/or cats, or other animals, are kept and are provided temporary housing for an animal for up to 12 months and up to an additional six months if there is proof of a documented medical condition that requires the extended temporary housing, and care for the purpose of placing them into a permanent home, except for a designated foster home.

## *Nuisance* means an animal that:

- (a) Damages the property of anyone other than its owner, including, but not limited to, scratches or digs about any flower bed, garden, tilled soil, vines, shrubbery, or small plants and in so doing injures them;
- (b) Habitually prowls around, on, or over any premises not the property of its owner to the frequent annoyance of the owner or occupant of those premises;
- (c) Overturns any garbage can or other container of waste products, or scatters the contents of the same;
- (d) Chases or kills any domesticated animals or domesticated birds;
- (e) Annoys or disturbs any person by loud and frequent barking, howling, yelping, or causes noise in an excessive, continuous or untimely fashion/manner so as to interfere with the reasonable use and enjoyment of neighboring private premises;

- (f) An animal that habitually or repeatedly chases, snaps at, or barks at pedestrians, joggers, dogs walked by owners, bicycles or vehicles;
- (g) Disturbs the rights of, threatens the safety of or injures a member of the general public or interferes with the ordinary use and enjoyment of his property.

Owner means any person possessing legal title to any animal or, possessing no legal title microchip registration, or a person who keeps or harbors the animal with exception of Community Cat Caretakers in excess of 14 days without delivering the animal to its proper owner or the Animal Welfare Center, provides food or water regularly for the animal, or provides routine or ongoing non-emergency medical care for the animal.

#### Service animal means:

- (a) A dog or miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The Americans with Disabilities Act (ADA) rules state that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are purely for emotional support, are not service animals.
- (b) Therapy, comfort, and/or emotional support animals are often a great asset to those they work with. However, they are not service animals, and may not enjoy the same rights, privileges and/or access to restricted areas as is allowed under federal or State law, as a service animal.

*Trap-Neuter-Return (TNR)* means the process of humanely trapping, sterilizing, vaccinating for rabies an ear-tipping community cats and returning them to their original location.

*Unprovoked* means an act of aggression towards an animal or human that occurs without apparent cause, reason, prompting or motivation.

(Code 1976, §§ 3-101--3-119; Ord. No. O-7475-56; Ord. No. O-0809-18, § 1; Ord. No. O-1213-18, § 1; Ord. No. O-1516-18, § 1; Ord. No. O-1819-39, § 1)

**SECTION 2:** <u>AMENDMENT</u> "4-202 Duties Of Animal Welfare Supervisor And Animal Welfare Shelter Manager" of the City of Norman Municipal Code is hereby *amended* as follows:

## **AMENDMENT**

4-202 Duties Of Animal Welfare CenterCenter or Animal Welfare Officers, police orher or her designee and the Shelter Officer Supervisor may supervise all Kennel TechniciansSupervisor And Animal Welfare Shelter Manager

- (a) The Animal Welfare Officer Supervisor shall supervise all Animal Welfare Officers and the Shelter Supervisor shall supervise all Kennel Technicians. The Animal Welfare Center Manager shall supervise all other division employees and is responsible for the administration and maintenance of the Animal Welfare Center.
- (b) The Animal Welfare Officer Supervisor, Animal Welfare Officers, police officers, and other persons designated by the City Manager, may pick up all animals in violation of the provisions of this chapter; or
  - (1) Any animal that is or will be without proper care because of injury, illness, incarceration or other excusable, involuntary absence of the person responsible for the care of such animal, and shall impound them at the Animal Welfare Center; or
  - (2) May within the City, search out and destroy with firearms or other methods any dangerous animal when causing an immediate threat to a human or another animal after a reasonable attempt is unable to be captured.
- (c) The Animal Welfare Center Manager shall cause all animals which are located within the City limits and are brought to the City Animal Welfare Center after being lawfully picked up or seized by an Animal Welfare Officer and delivered to the Animal Welfare Center or any stray animal delivered to the Animal Welfare Center by a citizen to be impounded and shall provide suitable and necessary sustenance for all animals while impounded in the shelter.
- (d) The Animal Welfare Center Manager shall not release an impounded animal to its owner until all impoundment fees and room and board charges are paid in full. The Animal Welfare Center Manager, or designated employees, shall have the discretion and authority to waive or suspend part or all of the fees based on documentable, reasonable and necessary needs to allow an animal to be returned to its owner.
- (e) The Animal Welfare Center Manager or his or her designee shall regularly transfer all proceeds from sales, fees, charges, and deposits to the City Finance Director.
- (f) Nothing in this section shall prevent the Animal Welfare Supervisor or his or her designee from seizing and/or forfeiting an animal pursuant to any other provision of the City ordinances or State law.

(Code 1976, § 3-202; Ord. No. O-7475-56; Ord. No. O-0809-18, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 3:** <u>AMENDMENT</u> "4-205 Sale And Disposition Of Animals Not Retrieved By Owners" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

4-205 Sale And Disposition Of Animals Not Retrieved By Owners

(a) Except as hereinafter provided, any animal which is impounded by the City pursuant

to the provisions of this chapter, shall be sold, destroyed or otherwise disposed of after three full days from the time of its impoundment at the Animal Welfare Center; provided, however, in the event an animal is taken into the custody of the Animal Welfare Center and the animal has been injured or otherwise disabled as would ordinarily would require the animal's destruction or treatment by a veterinarian, the Animal Welfare Officer Supervisor, Animal Welfare Center Manager, Shelter Supervisor, shelter veterinarian, or other authorized division staff, may order its destruction if the ownership of such animal cannot be determined within a reasonable period of time. Should such ownership be determined, the injured or disabled animal shall be promptly delivered over to such owner. For the purposes of this section, the three-day time period shall begin at 8:00 a.m. the day following the animal's intake into the facility. Calculation of the three total days shall not include Sundays, holidays, or other days the shelter is not open to the public. Impounded kittens and puppies which enter the shelter in groups of three or more and are under four months of age without a known owner or mother may, at the discretion of the shelter staff, be exempted from any required hold times prior to their release. The age of four months shall be determined by the eruption of the animal's adult teeth.

- (b) Animals held at the Animal Welfare Center due to legal seizure, arrest, medical situation, protective custody seizures, or other legal means involving law enforcement requests shall be returned to the owners or legal representative as soon as possible. Upon verification that the animal's owner has been notified of its impoundment, the three-day holding time referenced in the above section shall apply as if the animal were impounded for other reasons.
- (c) An animal's impoundment period will be increased by 48 hours should that impounded animal display a tag, microchip or markings indicating that:
  - (1) animal has an owner; or
  - (2) Such animal displays a tag which indicates it is vaccinated against rabies.
- (d) Should it be determined that the owner of an impounded animal is experiencing a situation that prohibits him or her from reclaiming or arranging for the release of the animal in a timely and reasonable manner, the Animal Welfare Center Manager, Shelter Supervisor or Animal Welfare Officer Supervisor may seek an order from a judge of competent jurisdiction for the release of the animal into the care and custody of the Animal Welfare Center in order that the highest level of long-term care and safety of the animal may be provided for.
- (e) Notwithstanding any provisions of this chapter, no animal suspected of being rabid or otherwise diseased shall be destroyed until such destruction is recommended by the Animal Welfare Officer SupervisorShelter SupervisorAnimalOfficerShelterSupervisorShelterSupervisor or the Animal Welfare Center Manager.
- (f) The manner and method of disposal or destruction of an impounded animal shall be directed by the Animal Welfare OfficerShelter Supervisor or the Animal Welfare Center Manager; and such disposal may include, but is not limited to, adoptions, euthanasia, or transfer to another animal welfare group, an animal rescue group or

- other animal welfare facility. For domestic animals other than dogs and cats, sale by auction may be utilized as outlined in State law. No live animals shall be released or sold to any facility for educational, scientific and/or medical research.
- (g) Adoption or sale may be refused to anyone determined by the Animal Welfare Officer Supervisor, Shelter Supervisor or Animal Welfare Center Manager, or their designated staff members to meet one or more of the following:
  - (1) Has a record of cruelty to animals;
  - (2) Is under 18 years of age;
  - (3) Has committed acts of harassment of animals;
  - (4) Owns other animals which are in violation of any requirement of this chapter;
  - (5) Refuses to comply with adoption requirement;
  - (6) Has released two or more animals to the Animal Welfare Center in the preceding 12 months;
  - (7) Lacks adequate housing and/or fencing to contain the animals; or
  - (8) Has a conviction in Municipal Court for any violation of this chapter.

(Code 1976, § 3-205; Ord. No. O-7475-56; Ord. No. O-0809-18, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 4:** REPEAL "4-211 Pet License Required" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

4-211 Pet License Required

(Code 1976, § 3-211; Ord. No. O-9091-38; Ord. No. O-9495-44; Ord. No. O-0304-42, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 5:** <u>**REPEAL**</u> "4-212 Exemptions" of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-212 Exemptions

(Code 1976, § 3-212; Ord. No. O-1516-18, § 2)

**SECTION 6:** REPEAL "4-213 Term Of License" of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-213 Term Of License

(Code 1976, § 3-213; Ord. No. O-1516-18, § 2)

**SECTION 7: REPEAL** "4-214 License Application" of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-214 License Application

(Code 1976, § 3-214; Ord. No. O-1516-18, § 2)

**SECTION 8: REPEAL** "4-215 Rabies Vaccination" of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-215 Rabies Vaccination

(Code 1976, § 3-215; Ord. No. O-1516-18, § 2)

**SECTION 9:** REPEAL "4-216 Issuance Of Tags And Certificates" of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-216 Issuance Of Tags And Certificates

(Code 1976, § 3-216; Ord. No. O-1516-18, § 2)

**SECTION 10:** <u>REPEAL</u> "4-217 Owner Must Attach License" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

4-217 Owner Must Attach License

(Code 1976, § 3-217; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 11:** REPEAL "4-218 Tag Or Certificate Must Be Shown" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

4-218 Tag Or Certificate Must Be Shown

(Code 1976, § 3-218; Ord. No. O-1516-18, § 2)

**SECTION 12: REPEAL** "4-219 Removal Of Registration Tags Prohibited" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

4-219 Removal Of Registration Tags Prohibited

(Code 1976, § 3-219; Ord. No. O-1516-18, § 2)

**SECTION 13:** <u>**REPEAL**</u> "4-220 Lost And Destroyed Tags" of the City of Norman Municipal Code is hereby *repealed* as follows:

## REPEAL

4-220 Lost And Destroyed Tags

(Code 1976, § 3-220; Ord. No. O-1516-18, § 2)

**SECTION 14:** <u>REPEAL</u> "4-221 Counterfeit And Imitation Tags" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

4-221 Counterfeit And Imitation Tags

(Code 1976, § 3-221; Ord. No. O-1516-18, § 2)

**SECTION 15:** <u>AMENDMENT</u> "4-222 Authority To Euthanize" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

4-222 Authority To Euthanize

**SECTION 16:** <u>AMENDMENT</u> "4-301 Keeping Of Animals Other Than Dogs And Cats" of the City of Norman Municipal Code is hereby *amended* as follows:

## **AMENDMENT**

4-301 Keeping Of Animals Other Than Dogs And Cats

- (a) Except, as provided otherwise, all animals commonly known as domesticated farm animals may be kept and maintained in any of the City's zoning districts only as long as:
  - (1) The provisions of NCC ch. 36 pertaining thereto are complied with;
  - (2) Such animals maintained in single-family, two-family or multifamily districts are not permitted closer than:
    - a. 25 feet to a lot line upon which is situated an inhabited dwelling; nor
    - b. 100 feet to any dwelling other than the owner's;
  - (3) The owner or occupant of the land upon which such animals are kept and maintained erects and maintains a suitable barrier sufficient to ensure compliance with the above distance requirements.
- (b) Except, as provided otherwise, chickens or laying hens may be kept and maintained in the R-1 zoning district so long as:
  - (1) The provisions of NCC ch. 36 pertaining thereto are complied with;
  - (2) Such chickens or laying hens are maintained on land upon which the owner or occupant resides;

- (3) Chickens or laying hens may only be kept under the following conditions:
  - a. No more than four chickens or laying hens are allowed per R-1-zoned parcel unless additional setback conditions can be achieved as described in subsection (a)(2) of this section;
  - b. Roosters are not allowed;
  - c. The chickens are kept within a designated chicken coop and chicken run, unless supervised as described in subsection (b)(3)m of this section:
  - d. The chicken coop and chicken run shall be located in the rear or backyard of a residential property. No part of the coop or run shall be located in the side or front yard;
  - e. The chicken coop and chicken run shall be attached and shall be located no closer than five feet from any side or rear property lines and no closer than 25 feet from any dwelling unit other than the owner's. Movable chicken enclosures are permitted as long as they meet the setbacks as indicated in this section;
  - f. The minimum size for a chicken coop shall be four square feet per animal and the chicken run shall be eight square feet per animal;
  - g. During daylight hours, the chickens shall have access to a chicken run and a chicken coop;
  - h. From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;
  - i. Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;
  - j. Chicken runs shall be adequately fenced and protected from predators;
  - k. The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;
  - 1. Water shall be provided onsite and accessible to chickens at all times;
  - m. Chickens are permitted to be outside of a run or coop during daylight hours but must be supervised and contained inside a fenced yard at all times; chickens that stray outside the fenced yard may be regarded as nuisance animals under NCC 4-101;
  - n. All chicken enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.
- (4) Outdoor slaughter of chickens is prohibited.
- (5) Electrical and heat sources shall comply with the City's building code.
- (c) No person shall own, keep, or maintain a swine within the City limits, except in those areas zoned A-1 or A-2 and only then when in compliance with the limitations regarding those areas.
- (d) Except as otherwise provided, it shall be unlawful for any person to keep or maintain, or allow to be maintained any exotic wildlife or species defined in this chapter, or

native wildlife or any species of animal which is venomous to human beings, whether its venom is transmitted by bite, sting, touch or other means. If a person is found in possession of a prohibited animal, the animal may be immediately seized and impounded by an Animal Services Officer. 4-205(b) regarding release or disposition of the animal shall apply to prohibited animals. However, the prohibited animal shall only be released to the owner if the owner has found a place where the animal may be legally kept.

- (e) Persons excepted from subsection (d) of this section shall be:
  - (1) Duly authorized educational institutions;
  - (2) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;
  - (3) Zoos which are AZA or ZAA certified;
  - (4) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the Federal Regulations;
  - (5) Required to ensure the animal is properly secured during any transport, remains detained, or prohibited from unsafe access to others;
  - (6) Be required to provide proof of required licensing and liability insurance to any City officer for keeping and displaying the animal.

(Code 1976, § 3-501; Ord. No. O-7475-56; Ord. No. O-8687-50; Ord. No. O-0102-9; Ord. No. O-1213-18, § 2; Ord. No. O-1516-18, § 5; Ord. No. O-1819-39, § 5)

**SECTION 17:** <u>AMENDMENT</u> "ARTICLE 4-V DOGS AND CATS" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

ARTICLE 4-V DOGS AND CATS

**SECTION 18:** <u>AMENDMENT</u> "4-501 Abandonment Of Cats And Dogs" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

- 4-501 Abandonment Of Cats And Dogs
  - (a) No person shall abandon or desert any animal or permit such animal to become a stray.

(b) Any dog or cat found at-large not wearing any tag indicating proof of current vaccination against rabies, or that the owner is a City resident, shall be presumed abandoned, and will be impounded by the City.

(Code 1976, § 3-401; Ord. No. O-7475-56; Ord. No. O-1516-18, § 4)

**SECTION 19:** <u>AMENDMENT</u> "4-503 Confinement Of Dogs And Cats" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 4-503 Confinement Of Dogs And Cats

- (a) No person shall knowingly or unknowingly permit his dog to be at-large anywhere within the City limits; and such dogs found at-large may be impounded and/or the owner cited by the City.
- (b) No person shall knowingly or unknowingly permit his cat to be at-large unless the cat is altered, current on its vaccinations, as required in this chapter, has a collar with an identification tag andhas a registered microchip containing accurate and current information for the owner, notwithstanding that the cat could still be determined to be a nuisance animal by its actions as defined in NCC 4-101 and NCC 4-509.
- (c) All dogs and cats shall be confined to the owner's premises should the Mayor declare a state of emergency due to an outbreak of rabies within the City.

(Code 1976, § 3-403; Ord. No. O-7475-56; Ord. No. O-0809-18, § 4; Ord. No. O-1516-18, § 4; Ord. No. O-1819-39, § 4)

**SECTION 20:** <u>ADOPTION</u> "4-510 Community Cats" of the City of Norman Municipal Code is hereby *added* as follows:

## ADOPTION

## 4-510 Community Cats(Added)

- (a) Community cats are exempted from stray, at large and other provisions of this Chapter that apply to owned animals.
- (b) community cats may be managed and maintained by a community cat caregiver. Any person may provide care for a community cat, including but not limited to, the following:
  - (1) maintained in a feeding container.
  - (2) Clean, potable water that is free from debris and algae.

- (3) and safe shelter that is the proper size for the cat(s).
- (4) community cats (except by Norman Animal Welfare) is permitted only only for the purpose of TNR unless a community cat is injured, veterinary care is required or is a nuisance.
- (5) community cat received by the Norman Animal Welfare or a local veterinarian from a community cat caregiver may be returned to the location where the cat was trapped or found with no hold period unless veterinary care is required.
- (6) cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose returning of ear tipped community cats to their original location.
- (7) community cat caregiver who returns a community cat to its original location when conducting TNR is not deemed to have abandoned the cat.
- (8) is permitted to be practiced by community cat caregivers and a 501(c)(3) nonprofit corporations in good standing with a TNR program in compliance with applicable federal or state law. As part of TNR, spay or neuter and vaccination for rabies must take place under the supervision of a licensed veterinarian. The Animal Welfare Division is authorized to direct impounded community cats to a TNR program.

**SECTION 21:** <u>AMENDMENT</u> "4-601 Cruelty To Animals" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 4-601 Cruelty To Animals

- (a) No person shall willfully or maliciously:
  - (1) Torture, cruelly beat, injure, maim, mutilate, or unjustly destroy or kill any animal;
  - (2) Deprive any animal in subjugation or captivity of food generally accepted as being nutritious, potable drinking water, or adequate shelter;
  - (3) Administer any poison or noxious drug or substance to any animal;
  - (4) Expose any drug or substance with the intent that the same shall be taken by an animal, whether such animal be the property of that owner or another person;
  - (5) Cause any other person to do any of the above items;
  - (6) It shall be unlawful for any person to leave any animal in any standing or parked vehicle, box, container or other situation without providing for adequate ventilation nor shall a person allow an animal to be exposed to extreme temperature while confined in a vehicle, box, container or other situation which would likely cause distress, harm or death to the animal;

- (7) It shall be unlawful to intentionally torment, harass, throw objects at, verbally or physically confront any animal, whether confined or unconfined, in a manner to cause unjustified agitation or injury to the animal;
- (8) No person shall cause an animal to be overloaded or forced to work in a manner unsuitable to its species, breed, condition or health so as to cause injury to the animal;
- (9) No person shall fail to provide or deprive any animal in their possession, care, or control reasonable medical or necessary veterinary care if the animal is sick, diseased, and/or injured;
- (10) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be dyed, colored, or otherwise similarly altered for the purposes as a promotional item, prize, or giveaway. This prohibition shall in no way limit the actions of a commercial or private groomer, medical care provider, or owner preparing an animal for a commonly recognized and accepted competition or show event as long as the action is performed in a safe and humane way that does not result in discomfort or injury to the animal;
- (11) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be provided to another person as a promotional item, or prize to be given away at any event, festival, carnival, or parade.
- (b) Animal Welfare, Police, or Fire Department Officials are hereby authorized to remove, impound or take possession of any animal which has been treated in violation of subsection (a) of this section.

(Code 1976, § 3-301; Ord. No. O-7475-56; Ord. No. O-8485-87; Ord. No. O-8687-50; Ord. No. O-0809-18, § 3; Ord. No. O-1516-18, § 3; Ord. No. O-1819-39, § 3)

**SECTION 22:** <u>AMENDMENT</u> "4-603 Animals That Are Nuisances" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

## 4-603 Animals That Are Nuisances

- (a) No person shall own, keep, possess, or harbor any animal that is a nuisance.
  - (1) The Municipal Court Judge, upon a finding that the animal is a nuisance animal, may order that the animal be confined on the premises of the owner.
  - (2) If there are three convictions, pleas of guilty or nolo contendere of violations of subsection (a) of this section or NCC 4-503 against the same animal within a 12-month period, then such animal shall be ordered removed from the City limits or destroyed, at the owner's option, within ten days of the order.
- (b) Noncompliance shall be a violation punishable as listed in NCC 4-223.

(Code 1976, § 3-303; Ord. No. O-7475-56; Ord. No. O-8687-50; Ord. No. O-0506-10; Ord. No. O-1516-18, § 3; Ord. No. O-1819-39, § 3)

**SECTION 23:** <u>SEVERABILITY CLAUSE</u> Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 24: EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL				
AYE	NAY	ABSENT	ABSTAIN	
Presiding Officer		Attest		
Larry Heikkila, Mayor, City of		Brenda Hall, City Clerk, City of		

Item 18.

# CITY OF NORMAN ORDINANCE 0-2425-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 4-I, SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE; AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND UPDATING LANGUAGE THROUGHOUT FOR CONSISTENCY; DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM; REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN BEINGS; AMENDING SECTION 4-301(E) REQUIRING ACCREDITATION ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS; ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS; AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS; AMENDING SECTION 503(C), CONFINEMENT OF DOGS AND CATS; ADDING SECTION 4-510, COMMUNITY CATS; AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE **NUISANCES.** 

**NOW THEREFORE**, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

**SECTION 1:** <u>AMENDMENT</u> "4-101 Definitions" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

## 4-101 Definitions

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

Abandon means the voluntary relinquishment of an animal including, but not limited to, vacating a premises and leaving the animal in or at the premises or leaving, dumping, discarding at the Norman Animal Center without Staff approval.

Adequate shelter means a structure or area of structural soundness with three sides, a waterproof roof, solid floor, adequate bedding material, positioned to allow for protection from north and west winds, proper ventilation, and which is suitable for the species, age, condition,

size and type of animal which is safe and protects each animal from injury, precipitation, direct sunlight, adverse effects of extreme heat or cold, enables the animal to be clean and dry, and has sufficient room for the animal to move about freely and to lie comfortably while allowing the retention of the animal's body heat. Wildlife, livestock, and other non-domesticated animals normally residing outdoors shall be only required to have appropriate shelter from extreme weather through natural or artificial means available to it to protect the animal.

#### Altered means:

- (a) *Neutered*. The term "neutered" means a process performed by a veterinarian or other person authorized by law, which removes the reproductive organs of any male animal as defined in O. S. title 4, ch. 14A, Dog and Cat Sterilization Act.
- (b) *Spayed*. The term "spayed" means a process performed by a veterinarian or other person authorized by law, which removes the reproductive organs of any female animal as defined in O. S. title 4, ch. 14A, Dog and Cat Sterilization Act.

Animal means any mammal, bird, fish, reptile or invertebrate, including wild and domesticated species, other than a human.

Animal Welfare Center means the facility designated and operated by the City, including the actual premises where animals are regularly kept, or places where the Animal Welfare Officer Supervisor, Animal Welfare Shelter Center Manager, or other designee may designate, for the purpose of keeping or impounding stray, neglected, abused or seized animals and provide adequate care before disposal of the animals as outlined in this chapter. The Animal Welfare Center includes a portion of the facility to provide for animal adoptions, education, citizen involvement, and spaying or neutering of animals before adoption from the facility.

Animal welfare group means a nonprofit organization which is registered with and approved by the City's Animal Welfare Center and has as one of its purposes the providing for the welfare and/or protection of animals. Approval may be refused to any animal welfare group if the Animal Welfare Officer Supervisor determines that the animal welfare group or one of its members meets one or more of the following:

- (a) Has a record of cruelty to animals;
- (b) Is under 18 years of age;
- (c) Has committed acts of harassment to animals;
- (d) Owns other animals which are in violation of any requirement of this chapter;
- (e) Refuses to comply with adoption requirement;
- (f) Has released two or more animals to the Animal Welfare Center in the past six months;
- (g) Lacks adequate housing and/or fencing to contain the animals; or
- (h) Has a conviction in municipal Court for any violation of this chapter.

At heel means within a radius of ten feet of the owner and obedient to the owner's commands.

*At-large* means a phrase indicating that an animal is:

- (a) Off the premises of its owner and not securely and physically restrained by means of harness, leash, or other device designed to restrain such animal.
- (b) Not confined on the premises of the owner or at heel on those premises.

*Chicken coop* means a small structure or enclosure where chickens nest, roost or perch and may include feeding and watering devices.

*Chicken run* means an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices.

Community cat means any outdoor, unowned, free-roaming kitten or adult cat that could be friendly, feral, healthy, sick, sterilized or unsterilized.

<u>Community cat caregiver</u> means a person who provides food, shelter or medical care to a community cat while not being considered the owner, custodian, harborer, controller or keeper of a community cat.

Confined on the premises means and indicates that an animal is securely and physically restrained on and within the premises of the owner by means of fences, leashes, walls, or other devices designed to prevent the animal from leaving those premises.

Dangerous animal means any animal whose behavior, temperament, size, or any combination thereof, when considered under the totality of the circumstances, including the nature of the surrounding area, constitutes a reasonable risk of injuring a human or animal or damaging personal or real property. That behavior includes, but is not limited to, an animals biting or attacking or attempting to attack a human or another animal. However, this definition shall not apply to any animal that has been subject to provocation or if the victim has been trespassing, as defined in NCC 24-505, upon the animal owner's premises.

Domesticated farm animal means any domestic species of cattle, sheep, swine, goats, llamas, or horses, or any other animals which are normally and have historically, been kept and raised on farms in the United States, and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber; in A-1 and A-2 zones only.

Exotic wildlife and native wildlife.

- (a) The term "exotic wildlife" means any of the following animals:
  - (1) A lion, tiger, leopard, occlot, cheetah, margay, lynx, jaguar, jaguarundi, or any and all other felines (family Felidae), except the domestic eat (species Felis domesticus);
  - (2) A grizzly bear, or any and all other bears (family Ursidae);
  - (3) A wolf, fox, jackal, hyena, or any other canines (family Canidae), except the domestic dog (species Canis familiaris);
  - (4) Any and all venomous reptiles (venomous members of the class Reptilia), including without limitation, Gila monster (species Heloderma suspectum),

- beaded lizard (species Heloderma horridum), and venomous snakes (venomous members of the suborder Serpentes);
- (5) Any and all crocodiles, caimans, or alligators (family Crocodilia);
- (6) Gorillas, orangutans, baboons, macaques, or chimpanzees; or any non-human primate (order Primata) that is not licensed pursuant to the provisions of this chapter; or any non-human primate (order Primata) that test positive for tuberculosis or herpes B;
- (7) Cassowaries (genus Casuarius);
- (8) Any cross-breed or hybrid which includes any animal defined as exotic wildlife in subsections (1)(a) through (g), inclusive, of this definition.
- (b) The term "native wildlife" means any and all species of wildlife that are indigenous to or occur naturally within the State, including, but not limited to, mountain lion (cougar), bobcat, coyote, red fox, gray fox, black bear, and American alligator.
- (a) The following members of the Class Aves: Order Falconiformes (hawks, eagles, falcons and vultures) which are not kept pursuant to federal or state permit, and Order Ratites (ostriches, rheas, cassowaries and emus); or birds native to the continental United States and Alaska and all birds covered under the Lacey Act and Migratory Bird Act.
- (b) The following members of the Class Mammalia: Order Carnivora, Family Felidae (such as ocelots, margays, tigers, lions, panthers, jaguars, leopards and cougars, bobcat, lynx, cheetah, serval) except commonly accepted domesticated cats; the Family Canidae (such as wolves, foxes, dingoes, coyotes and jackals), except domesticated dogs; Family Mustelidae (such as weasels, martins, minks and badgers); Family Procyonidae (such s raccoons or coatimundi); Family Ursidae (such as bears); Order Chiroptera (such as bats); Magnorder Xenarthra (such as sloths, anteaters and armadillos); Order Marsupialia (such as kangaroos and common opossums); Order Proboscidea (such as elephants); Order Primate (such as monkeys, lemurs, chimpanzees and gorillas); Order Rodentia (such as beavers, muskrats and porcupines); Order Perssodactyla (such as zebras and tapirs); Order Crocodilia (such as alligators); and any hybrid or cross-breed of any of the above-listed animals.
- (c) Except as expressly provided in this Chapter, exotic animals do not include:
  - (1) Nonpoisonous aquatic or amphibious animals, gerbils, hedgehogs, hamsters, guinea pigs, mice, rabbits, birds except for those listed in this definition, domestic rats, chinchillas, domestic honeybees, ferrets and those reptiles described in this definition as not prohibited.
  - (2) The families of reptiles listed below, since these reptiles pose no life-threatening hazards to humans, provided that the reptiles are also owned in accordance with all state, federal and Convention of International Trade of Endangered Species (CITED) regulations that may apply.
    - a. The following Families of the Order Squamata Suborder Sauria: Family Gekkonidae (such as geckos); Family Agamidae (such as agamas); Family Iguanidae (such as anoles, swifts and iguanas); Family Cordylidae (such as ungazers and girdled lizards); Family Anguidae (such as alligator lizards, galliwasps and glass lizards);

- Family Varanidae (such as monitors); Family Lacertidae (such as wall lizards); Family Anniellidae (such as legless lizards); Family Teiidae 9such as tegus and racerunners); Family Chamaeleonidae (such as chameleons); Family Scincidae such as skinks); Family Xenosauridae (such as knob-scaled lizard); Family Shinisauridae (such as crocodile lizard)
- b. The following Families of the Order of Squamata, Suborder Ophidia;
   Family Leptotyphlopidae (such as blind and worm snakes); Family
   Boidae (such as boas and pythons); Family Colubridae, sub family
   Colubrinae (such as garter snakes, water snakes, gopher snakes, bull snakes, hognose snakes, ringneck green snakes, rate snakes, kingsnakes, corn snakes and racer snakes).
- c. The following Families of the Order Testudines; Family Chelydridae (such as snapping turtles; Family Kinosternidae (such as musk turtles); Family Platysternidae (such as big-head turtles); Family Emydidae (such as painted turtles, slider turtles, box turtles and pond turtles); Family Testudinidae (such as tortoises); Family Trionychidae (such as soft-shelled turtles); Family Pelomedusidae (such as flat-headed turtles); and Family Chelidae (such assisidenecked turtles).

Exotic livestock means commercially raised exotic livestock including animals of the families bovidae, cervidae and antilocapridae or birds of the ratite group. Feral dog or cat

means a dog or cat that was either born in the wild or has reverted to a wild state due to abandonment or lack of domestication and has no owner. Any feral dog or cat which has been captured and neutered or spayed and returned to the wild shall continue to be classified as a feral animal.

Foster home means any premises owned by an individual who works under the direction of an approved Animal Welfare Group registered with the City who will take in stray or unowned dogs and/or cats, or other animals, for the purpose of providing temporary care up to 12 months for each animal. A temporary care extension may be requested for up to an additional six months for an animal, if there is proof of a documented medical condition that requires the extended temporary housing of the animal.

## Kennel classifications.

- (a) *Commercial kennel* means any business or establishment, whether operated separately or in connection with another business or establishment that keeps, boards, sells, shows, and/or trains dogs and/or cats for profit, except for an Animal Hospital as outlined in NCC 20-1401.
- (b) *Private kennel* means any premises which exceeds the allowable number of dogs and/or cats as described in this section, and the animals are kept as pets and not used for any other purpose other than companionship for their owners.
- (c) Rescue kennel means any facility operated by a non-profit Animal Welfare Group where dogs and/or cats, or other animals, are kept and are provided temporary housing

for an animal for up to 12 months and up to an additional six months if there is proof of a documented medical condition that requires the extended temporary housing, and care for the purpose of placing them into a permanent home, except for a designated foster home.

## *Nuisance* means an animal that:

- (a) Damages the property of anyone other than its owner, including, but not limited to, scratches or digs about any flower bed, garden, tilled soil, vines, shrubbery, or small plants and in so doing injures them;
- (b) Habitually prowls around, on, or over any premises not the property of its owner to the frequent annoyance of the owner or occupant of those premises;
- (c) Overturns any garbage can or other container of waste products, or scatters the contents of the same:
- (d) Chases or kills any domesticated animals or domesticated birds;
- (e) Annoys or disturbs any person by loud and frequent barking, howling, yelping, or causes noise in an excessive, continuous or untimely fashion/manner so as to interfere with the reasonable use and enjoyment of neighboring private premises;
- (f) An animal that habitually or repeatedly chases, snaps at, or barks at pedestrians, joggers, dogs walked by owners, bicycles or vehicles;
- (g) Disturbs the rights of, threatens the safety of or injures a member of the general public or interferes with the ordinary use and enjoyment of his property.

Owner means any person possessing legal title to any animal or, possessing no legal title, is identified by City pet license or microchip registration, or a person who keeps or harbors the animal in excess of 14 days without delivering the animal to its proper owner or the Animal Welfare Center, provides food or water regularly for the animal, or provides routine or ongoing non-emergency medical care for the animal with exception of Community Cat Caretakers.

#### Service animal means:

- (a) A dog or miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The Americans with Disabilities Act (ADA) rules state that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are purely for emotional support, are not service animals.
- (b) Therapy, comfort, and/or emotional support animals are often a great asset to those they work with. However, they are not service animals, and may not enjoy the same rights, privileges and/or access to restricted areas as is allowed under federal or State law, as a service animal.

<u>Trap-Neuter-Return (TNR)</u> means the process of humanely trapping, sterilizing, vaccinating for rabies an ear-tipping community cats and returning them to their original location.

*Unprovoked* means an act of aggression towards an animal or human that occurs without apparent cause, reason, prompting or motivation.

(Code 1976, §§ 3-101--3-119; Ord. No. O-7475-56; Ord. No. O-0809-18, § 1; Ord. No. O-1213-18, § 1; Ord. No. O-1516-18, § 1; Ord. No. O-1819-39, § 1)

**SECTION 2:** <u>AMENDMENT</u> "4-202 Duties Of Animal Welfare Supervisor And Animal Welfare Shelter Manager" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

4-202 Duties Of Animal Welfare Officer Supervisor And Animal Welfare Shelter Center Manager

- (a) The Animal Welfare Officer Supervisor shall supervise all Animal Welfare Officers and the Shelter Supervisor shall supervise all Kennel Technicians. The Animal Welfare Shelter Center Manager shall supervise all other division employees and is responsible for the administration and maintenance of the Animal Welfare Center.
- (b) The Animal Welfare <u>Officer Supervisor</u>, <u>Animal Welfare Officers</u>, <u>police officers</u>, <u>his officers</u>, and other persons designated by the City Manager, <u>shallmay</u> pick up all animals in violation of the provisions of this chapter; or
  - (1) Any animal that is or will be without proper care because of injury, illness, incarceration or other excusable, involuntary absence of the person responsible for the care of such animal, and shall impound them at the Animal Welfare Center; or
  - (2) May within the City, search out and destroy with firearms or other methods any dangerous animal when causing an immediate threat to a human or another animal after a reasonable attempt is unable to be captured.
- (c) The Animal Welfare Shelter Center Manager shall cause all animals which are located within the City limits and are brought to the City Animal Welfare Center after being lawfully picked up or seized by an Animal Welfare Officer and delivered to the Animal Welfare Center or any stray animal delivered to the Animal Welfare Center by a citizen to be impounded and shall provide suitable and necessary sustenance for all animals while impounded in the shelter.
- (d) The Animal Welfare Shelter Center Manager shall not release an impounded animal to its owner until all impoundment fees and room and board charges are paid in full. The Animal Welfare Shelter Center Manager, or designated employees, shall have the discretion and authority to waive or suspend part or all of the fees based on documentable, reasonable and necessary needs to allow an animal to be returned to its owner.
- (e) The Animal Welfare ShelterCenter Manager or his or her designee shall regularly transfer all proceeds from sales, fees, charges, and deposits to the City Finance

Director.

(f) Nothing in this section shall prevent the Animal Welfare Supervisor or his <u>or her</u> designee from seizing and/or forfeiting an <u>impounded</u> animal pursuant to any other provision of the City ordinances or State law.

(Code 1976, § 3-202; Ord. No. O-7475-56; Ord. No. O-0809-18, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 3:** <u>AMENDMENT</u> "4-205 Sale And Disposition Of Animals Not Retrieved By Owners" of the City of Norman Municipal Code is hereby *amended* as follows:

## AMENDMENT

4-205 Sale And Disposition Of Animals Not Retrieved By Owners

- (a) Except as hereinafter provided, any animal which is impounded by the City pursuant to the provisions of this chapter, shall be sold, destroyed or otherwise disposed of after three full days from the time of its impoundment at the Animal Welfare Center; provided, however, in the event an animal is taken into the custody of the Animal Welfare Center and the animal has been injured or otherwise disabled as would ordinarily would require the animal's destruction or treatment by a veterinarian, the Animal Welfare Officer Supervisor, Animal Welfare Shelter Manager, Shelter Supervisor, shelter veterinarian, or other authorized division staff, may order its destruction if the ownership of such animal cannot be determined within a reasonable period of time. Should such ownership be determined, the injured or disabled animal shall be promptly delivered over to such owner. For the purposes of this section, the three-day time period shall begin at 8:00 a.m. the day following the animal's intake into the facility. Calculation of the three total days shall not include Sundays, holidays, or other days the shelter is not open to the public. Impounded kittens and puppies which enter the shelter in groups of three or more and are under four months of age without a known owner or mother may, at the discretion of the shelter staff, be exempted from any required hold times prior to their release. The age of four months shall be determined by the eruption of the animal's adult teeth.
- (b) Animals held at the Animal Welfare Center due to legal seizure, arrest, medical situation, protective custody seizures, or other legal means involving law enforcement requests shall be returned to the owners or legal representative as soon as possible. Upon verification that the animal's owner has been notified of its impoundment, the three-day holding time referenced in the above section shall apply as if the animal were impounded for other reasons.
- (c) An animal's impoundment period will be increased by 48 hours should that impounded animal display a tag, microchip or markings indicating that:
  - (1) The owner of such animal is a City resident; The animal has an owner; or
  - (2) Such animal displays a tag which indicates it is vaccinated against rabies.

- (d) Should it be determined that the owner of an impounded animal is experiencing a situation that prohibits him <u>or her</u> from reclaiming or arranging for the release of the animal in a timely and reasonable manner, the Animal Welfare <u>ShelterCenter Manager</u>, <u>Shelter Supervisor</u> or Animal Welfare <u>Officer Supervisor</u> may seek an order from a judge of competent jurisdiction for the release of the animal into the care and custody of the Animal Welfare Center in order that the highest level of long-term care and safety of the animal may be provided for.
- (e) Notwithstanding any provisions of this chapter, no animal suspected of being rabid or otherwise diseased shall be destroyed until such destruction is recommended by the Animal Welfare Officer Supervisor-Shelter Supervisor or the Animal Welfare ShelterCenter Manager.
- (f) The manner and method of disposal or destruction of an impounded animal shall be directed by the Animal Welfare Officer Supervisor, Shelter Supervisor or the Animal Welfare Shelter Center Manager; and such disposal may include, but is not limited to, adoptions, euthanasia, or transfer to another animal welfare group, an animal rescue group or other animal welfare facility. For domestic animals other than dogs and cats, sale by auction may be utilized as outlined in State law. No live animals shall be released or sold to any facility for educational, scientific and/or medical research.
- (g) Adoption or sale may be refused to anyone determined by the Animal Welfare Officer Supervisor, Shelter Supervisor or Animal Welfare Shelter Center Manager, or their designated staff members to meet one or more of the following:
  - (1) Has a record of cruelty to animals;
  - (2) Is under 18 years of age;
  - (3) Has committed acts of harassment of animals;
  - (4) Owns other animals which are in violation of any requirement of this chapter;
  - (5) Refuses to comply with adoption requirement;
  - (6) Has released two or more animals to the Animal Welfare Center in the preceding 12 months;
  - (7) Lacks adequate housing and/or fencing to contain the animals; or
  - (8) Has a conviction in mMunicipal Court for any violation of this chapter.
- (h) Animals in custody of the City Animal Welfare or partnering organizations as part of a trap neuter return (TNR) program or a return to field program may be returned to their original location in accordance with common program standards. Further, cats trapped from identified feral colonies and placed in the custody of the Animal Welfare Center who have no identifiable owner may, after necessary holding times, alterations, examinations, and vaccinations be returned to their original location at the shelter staff's discretion. Notification of residents shall be required when a cat is re-released on their street.

(Code 1976, § 3-205; Ord. No. O-7475-56; Ord. No. O-0809-18, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 4:** REPEAL "4-211 Pet License Required" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

# 4-211 Pet License Required Reserved

(a) Every person within the City owning, possessing, controlling, harboring, or keeping any dog or eat over six months of age shall procure a pet license tag for each dog or eat from the Animal Welfare Center or authorized agent, as long as ownership of the dog or cat continues, or within 30 days after acquiring or bringing into the City any dog or cat over the age of six months, and shall continue to procure such tags as required herein, so long as ownership of the dog or eat continues. When the dog or eat has a valid license from any county or from another city within the State, proof of such licensing shall be submitted to the Animal Welfare Center and an animal license tag shall be issued to the owner for a fee established administratively. Service animals shall not be charged a pet license fee. Senior citizens (55 years of age and above), activeduty military, and military veterans shall receive a 50 percent discount on a pet license fee. Adopted animals from the City shall receive a waiver of the first-year pet license. The City license tag should be displayed on the licensed animal at all times. It shall be permissible for voluntary licensing stations to be operated by nonprofit organizations or veterinary hospitals, allowing such voluntary licensing stations to retain \$4.00 of the pet licensing fees with the remainder of such fee amounts to be retained by the City. Within 30 days of the transfer or sale of a dog or eat with a valid City license, the new owner shall purchase a new pet license from the Animal Welfare Center.

(Code 1976, § 3-211; Ord. No. O-9091-38; Ord. No. O-9495-44; Ord. No. O-0304-42, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 5:** <u>REPEAL</u> "4-212 Exemptions" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

## 4-212 Exemptions Reserved

This article does not apply to dogs or eats found within the City under any of the following conditions: When the dog or eat is owned by, or in the care of, any person who is a nonresident or who is traveling through the City, or who is temporarily within the City limits, for a period not exceeding 30 days. When the dog or eat is brought into the City and kept therein for a period not exceeding 30 days, for the exclusive purpose of entering the dog or eat in any bench

show, dog exhibition, field trials or other competition. When the dog or cat is brought or sent into the City for the exclusive purpose of receiving veterinary care in any hospital.

(Code 1976, § 3-212; Ord. No. O-1516-18, § 2)

**SECTION 6: REPEAL** "4-213 Term Of License" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

# 4-213 Term Of License Reserved

(a) Each pet license issued shall be effective for a one- or three-year period, at the option of the owner, and shall be issued upon payment of all required fees, charges, and penalties established administratively, and upon compliance with all conditions required for issuance of a license. A new license issued for a period commencing after the first of any month shall be effective from that date until the last day of the same month in the following years, as appropriate. Any license renewal shall be effective from the first day of the month following the expiration date of the license being renewed.

(Code 1976, § 3-213; Ord. No. O-1516-18, § 2)

**SECTION 7: REPEAL** "4-214 License Application" of the City of Norman Municipal Code is hereby *repealed* as follows:

# REPEAL

## 4-214 License Application Reserved

The owner shall state, at the time application is made and upon standard printed forms of an application provided for such purpose, his name, address, and telephone number and the name, breed, color, age, sex, physical location where the dog or eat is kept, and microchip and tattoo information of each dog or eat for which application is made.

(Code 1976, § 3-214; Ord. No. O-1516-18, § 2)

**SECTION 8: REPEAL** "4-215 Rabies Vaccination" of the City of Norman Municipal Code is hereby *repealed* as follows:

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#### REPEAL

## 4-215 Rabies Vaccination Reserved

As a condition for the issuance of a City pet license for a dog or eat, all applications for such license shall procure and deliver to the licensing authority a certificate issued by a duly licensed veterinarian certifying the dog or eat to be licensed has been administered an anti-rabies vaccination sufficient to immunize said dog or eat against rabies for the entire license period.

(Code 1976, § 3-215; Ord. No. O-1516-18, § 2)

**SECTION 9: REPEAL** "4-216 Issuance Of Tags And Certificates" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

4-216 Issuance Of Tags And Certificates Reserved

A metallic tag and license certificate with corresponding number shall be furnished by the license authority upon payment of the appropriate fee.

(Code 1976, § 3-216; Ord. No. O-1516-18, § 2)

**SECTION 10:** REPEAL "4-217 Owner Must Attach License" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

## 4-217 Owner Must Attach License Reserved

The licensing authority shall keep a record of the name of such owner or person making payment of said license fee and to whom a certificate and tag shall have been issued, and the number and date of such certificate and such tag. Such metal tag shall be securely fixed to a collar, harness or other device to be worn at all times by the registered dog or cat. Cats and dogs are exempt from wearing a tag as long as the animal is in compliance with NCC 4-505 and is microchipped with current information.

(Code 1976, § 3-217; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

**SECTION 11:** REPEAL "4-218 Tag Or Certificate Must Be Shown" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

4-218 Tag Or Certificate Must Be Shown Reserved

No person shall fail or refuse to show to the Animal Welfare Officer, or Police Officer, the license certificate or tag for any duly registered dog or eat kept or remaining with any home or upon any enclosed premises under their immediate control.

(Code 1976, § 3-218; Ord. No. O-1516-18, § 2)

**SECTION 12:** REPEAL "4-219 Removal Of Registration Tags Prohibited" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

4-219 Removal Of Registration Tags Prohibited Reserved

Only the owner or licensing authority shall have the authority to remove or cause the removal of the license tag or other device authorized by the licensing authority used to identify the dog or cat owner.

(Code 1976, § 3-219; Ord. No. O-1516-18, § 2)

**SECTION 13: REPEAL** "4-220 Lost And Destroyed Tags" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

4-220 Lost And Destroyed Tags Reserved

If the license tag is lost or destroyed, the owner shall have 30 days to procure a new license tag or other identifying device authorized by and from the licensing authority for a fee established administratively.

(Code 1976, § 3-220; Ord. No. O-1516-18, § 2)

**SECTION 14:** REPEAL "4-221 Counterfeit And Imitation Tags" of the City of Norman Municipal Code is hereby *repealed* as follows:

#### REPEAL

# 4-221 Counterfeit And Imitation TagsReserved

No person shall imitate or counterfeit tags or other devices authorized by the licensing authority prescribed by this chapter, or have in his possession any imitation or counterfeit device or tags.

(Code 1976, § 3-221; Ord. No. O-1516-18, § 2)

**SECTION 15:** <u>AMENDMENT</u> "4-222 Authority To Euthanize" of the City of Norman Municipal Code is hereby *amended* as follows:

#### **AMENDMENT**

4-222 Authority To Euthanize

**SECTION 16:** <u>AMENDMENT</u> "4-301 Keeping Of Animals Other Than Dogs And Cats" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

- 4-301 Keeping Of Animals Other Than Dogs And Cats
  - (a) Except, as provided otherwise, all animals commonly known as domesticated farm animals may be kept and maintained in any of the City's zoning districts only as long as:
    - (1) The provisions of NCC ch. 36 pertaining thereto are complied with;
    - (2) Such animals maintained in single-family, two-family or multifamily districts are not permitted closer than:
      - a. 25 feet to a lot line upon which is situated an inhabited dwelling; nor
      - b. 100 feet to any dwelling other than the owner's;
    - (3) The owner or occupant of the land upon which such animals are kept and maintained erects and maintains a suitable barrier sufficient to ensure compliance with the above distance requirements.
  - (b) Except, as provided otherwise, chickens or laying hens may be kept and maintained in the R-1 zoning district so long as:

- (1) The provisions of NCC ch. 36 pertaining thereto are complied with;
- (2) Such chickens or laying hens are maintained on land upon which the owner or occupant resides;
- (3) Chickens or laying hens may only be kept under the following conditions:
  - a. No more than four chickens or laying hens are allowed per R-1-zoned parcel unless additional setback conditions can be achieved as described in subsection (a)(2) of this section;
  - b. Roosters are not allowed;
  - c. The chickens are kept within a designated chicken coop and chicken run, unless supervised as described in subsection (b)(3)m of this section;
  - d. The chicken coop and chicken run shall be located in the rear or backyard of a residential property. No part of the coop or run shall be located in the side or front yard;
  - e. The chicken coop and chicken run shall be attached and shall be located no closer than five feet from any side or rear property lines and no closer than 25 feet from any dwelling unit other than the owner's. Movable chicken enclosures are permitted as long as they meet the setbacks as indicated in this section;
  - f. The minimum size for a chicken coop shall be four square feet per animal and the chicken run shall be eight square feet per animal;
  - g. During daylight hours, the chickens shall have access to a chicken run and a chicken coop;
  - h. From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;
  - i. Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;
  - j. Chicken runs shall be adequately fenced and protected from predators;
  - k. The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;
  - 1. Water shall be provided onsite and accessible to chickens at all times;
  - m. Chickens are permitted to be outside of a run or coop during daylight hours but must be supervised and contained inside a fenced yard at all times; chickens that stray outside the fenced yard may be regarded as nuisance animals under NCC 4-101;
  - n. All chicken enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.
- (4) Outdoor slaughter of chickens is prohibited.
- (5) Electrical and heat sources shall comply with the City's building code.
- (c) No person shall own, keep, or maintain a swine within the City limits, except in those areas zoned A-1 or A-2 and only then when in compliance with the limitations regarding those areas.
- (d) Except as otherwise provided, noit shall be unlawful for any person to shall keep

and or maintain, or allow to be maintained any exotic wildlife or species defined in this chapter, or native wildlife or dangerous or venomous reptiles: or any species of animal which is venomous to human beings, whether its venom is transmitted by bite, sting, touch or other means. If a person is found in possession of a prohibited animal, the animal may be immediately seized and impounded by an Animal Services Officer. 4-205(b) regarding release or disposition of the animal shall apply to prohibited animals. However, the prohibited animal shall only be released to the owner if the owner has found a place where the animal may be legally kept.

- (e) Persons excepted from subsection (d) of this section shall be:
  - (1) Duly authorized educational institutions;
  - (2) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;
  - (3) Zoological gardens;
  - (4) Zoos which are AZA or ZAA certified; supervised and publicly maintained;
  - (5) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the Federal Regulations;
  - (6) Required to ensure the animal is properly secured during any transport, remains detained, or prohibited from unsafe access to others;
  - (7) Be required to provide proof of required licensing and liability insurance to any City officer for keeping and displaying the animal.

(Code 1976, § 3-501; Ord. No. O-7475-56; Ord. No. O-8687-50; Ord. No. O-0102-9; Ord. No. O-1213-18, § 2; Ord. No. O-1516-18, § 5; Ord. No. O-1819-39, § 5)

**SECTION 17:** <u>AMENDMENT</u> "ARTICLE 4-V DOGS AND CATS" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

ARTICLE 4-V DOGS AND CATS

**SECTION 18:** <u>AMENDMENT</u> "4-501 Abandonment Of Cats And Dogs" of the City of Norman Municipal Code is hereby *amended* as follows:

## **AMENDMENT**

4-501 Abandonment Of Cats And Dogs

- (a) No person shall abandon or desert their any animal dog or cat or permit such animal to become a stray.
- (b) Any dog or cat found at-large not wearing any tag indicating proof of current vaccination against rabies, or that the owner is a City resident, shall be presumed abandoned, and will be impounded by the City.

(Code 1976, § 3-401; Ord. No. O-7475-56; Ord. No. O-1516-18, § 4)

**SECTION 19:** <u>AMENDMENT</u> "4-503 Confinement Of Dogs And Cats" of the City of Norman Municipal Code is hereby *amended* as follows:

#### AMENDMENT

4-503 Confinement Of Dogs And Cats

- (a) No person shall knowingly or unknowingly permit his dog to be at-large anywhere within the City limits; and such dogs found at-large may be impounded and/or the owner cited by the City.
- (b) No person shall knowingly or unknowingly permit his cat to be at-large unless the cat is altered, current on its vaccinations, as required in this chapter, has a valid issued pet license, and has either a collar with a valid City pet license attached with an identification tag and or has a registered microchip containing accurate and current information for the owner, notwithstanding that the cat could still be determined to be a nuisance animal by its actions as defined in NCC 4-101 and NCC 4-509.
- (c) All dogs and cats shall be confined to the owner's premises should the Mayor declare a state of emergency due to an outbreak of rabies within the City.

(Code 1976, § 3-403; Ord. No. O-7475-56; Ord. No. O-0809-18, § 4; Ord. No. O-1516-18, § 4; Ord. No. O-1819-39, § 4)

**SECTION 20:** <u>ADOPTION</u> "4-510 Community Cats" of the City of Norman Municipal Code is hereby *added* as follows:

#### ADOPTION

4-510 Community Cats(Added)

- (a) Community cats are exempted from stray, at large and other provisions of this Chapter that apply to owned animals.
- (b) All community cats may be managed and maintained by a community cat caregiver.

  Any person may provide care for a community cat, including but not limited to, the

# following:

- (1) Food maintained in a feeding container.
- (2) Clean, potable water that is free from debris and algae.
- (3) Unobtrusive and safe shelter that is the proper size for the cat(s).
- (4) <u>Trapping community cats (except by Norman Animal Welfare) is permitted only only for the purpose of TNR unless a community cat is injured, veterinary care is required or is a nuisance.</u>
- (5) A community cat received by the Norman Animal Welfare or a local veterinarian from a community cat caregiver may be returned to the location where the cat was trapped or found with no hold period unless veterinary care is required.
- (6) Community cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose returning of ear tipped community cats to their original location.
- (7) A community cat caregiver who returns a community cat to its original location when conducting TNR is not deemed to have abandoned the cat.
- (8) TNR is permitted to be practiced by community cat caregivers and a 501(c)(3) nonprofit corporations in good standing with a TNR program in compliance with applicable federal or state law. As part of TNR, spay or neuter and vaccination for rabies must take place under the supervision of a licensed veterinarian. The Animal Welfare Division is authorized to direct impounded community cats to a TNR program.

**SECTION 21:** <u>AMENDMENT</u> "4-601 Cruelty To Animals" of the City of Norman Municipal Code is hereby *amended* as follows:

# AMENDMENT

## 4-601 Cruelty To Animals

- (a) No person shall willfully or maliciously:
  - (1) Torture, cruelly beat, injure, maim, mutilate, or unjustly destroy or kill any animal:
  - (2) Deprive any animal in subjugation or captivity of food generally accepted as being nutritious, potable drinking water, or adequate shelter;
  - (3) Administer any poison or noxious drug or substance to any animal;
  - (4) Expose any drug or substance with the intent that the same shall be taken by an animal, whether such animal be the property of that owner or another person;
  - (5) Cause any other person to do any of the above items;
  - (6) It shall be unlawful for any person to leave any animal in any standing or parked vehicle, box, container or other situation without providing for adequate ventilation nor shall a person allow an animal to be exposed to

- extreme temperature while confined in a vehicle, box, container or other situation which would likely cause distress, harm or death to the animal;
- (7) It shall be unlawful to intentionally torment, harass, throw objects at, verbally or physically confront any animal, whether confined or unconfined, in a manner to cause unjustified agitation or injury to the animal;
- (8) No person shall cause an animal to be overloaded or forced to work in a manner unsuitable to its species, breed, condition or health so as to cause injury to the animal;
- (9) No person shall fail to provide or deprive any animal in their possession, care, or control reasonable medical or necessary veterinary care if the animal is sick, diseased, and/or injured;
- (10) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be dyed, colored, or otherwise similarly altered for the purposes as a promotional item, prize, or giveaway. This prohibition shall in no way limit the actions of a commercial or private groomer, medical care provider, or owner preparing an animal for a commonly recognized and accepted competition or show event as long as the action is performed in a safe and humane way that does not result in discomfort or injury to the animal;
- (11) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be provided to another person as a promotional item, or prize to be given away at any event, festival, carnival, or parade.
- (b) Animal Welfare, Police, or Fire Department Officials are hereby authorized to remove, impound or take possession of any animal which has been treated in violation of subsection (a) of this section.

(Code 1976, § 3-301; Ord. No. O-7475-56; Ord. No. O-8485-87; Ord. No. O-8687-50; Ord. No. O-0809-18, § 3; Ord. No. O-1516-18, § 3; Ord. No. O-1819-39, § 3)

**SECTION 22:** <u>AMENDMENT</u> "4-603 Animals That Are Nuisances" of the City of Norman Municipal Code is hereby *amended* as follows:

## **AMENDMENT**

#### 4-603 Animals That Are Nuisances

- (a) No person shall own, keep, possess, or harbor any animal that is a nuisance unless the animal is confined at the residence of the owner as described in NCC 4-101 or if off the premises outside the residence of the owner the animal is at heel as described in NCC 4-101.
  - (1) The Mmunicipal Court Judge, upon a finding that the animal is a nuisance animal, may order that the animal be confined on the premises of the owner.
  - (2) If there are three convictions, pleas of guilty or nolo contendere of violations of subsection (a) of this section or NCC 4-503 against the same animal within

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a 12-month period, then such animal shall be ordered removed from the City limits or destroyed, at the owner's option, within ten days of the order.

(b) Noncompliance shall be a violation punishable as listed in NCC 4-223.

(Code 1976, § 3-303; Ord. No. O-7475-56; Ord. No. O-8687-50; Ord. No. O-0506-10; Ord. No. O-1516-18, § 3; Ord. No. O-1819-39, § 3)

**SECTION 23:** <u>SEVERABILITY CLAUSE</u> Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 24: EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval and publication according to law.

# PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Presid	ing Officer		Attest	
Larry Heikkila, Mayor, City of Norman			Brenda Hall, City Clerk, City of Norman	

## File Attachments for Item:

19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-20 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FIVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, URBAN GENERAL FRONTAGE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (428 BUCHANAN AVENUE)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** CSO Development Corporation

**PRESENTER:** Jane Hudson, Planning & Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-20 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FIVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, URBAN GENERAL FRONTAGE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING

FOR THE SEVERABILITY THEREOF. (428 BUCHANAN AVENUE)

APPLICANT/REPRESENTATIVE CSO Development Corporation/Peter

Petromilli

**LOCATION** 428 Buchanan Avenue

WARD 4

CORE AREA Yes

**REQUESTED ACTION**Rezoning from CCFBC, Center City Form-

Based Code District, Urban General Frontage, to Center City Planned Unit

Development District.

LAND USE PLAN DESIGNATION Low Density Residential

GROWTH AREA DESIGNATION Current Urban Service Area

# **BACKGROUND:**

The applicant requests to rezone this parcel on Buchanan Avenue, designated as Center City Form-Based Code District, Urban General Frontage, to a Center City Planned Unit Development (CCPUD), as outlined in Appendix B of the Center City Form-Based Code. This property is

unique in that it does not have an alleyway along its rear property line and is a smaller lot size than is typically found in the CCFBC.

The proposal for this site is to construct a four-story residential building with a total area of 14,624 square feet, as illustrated in Exhibit A, Site Development Plan. The CCPUD proposes the following uses for the site:

# Residential

- Household Living All Floors
  - One, two or three, or multi-dwelling unit structures or set of attached structures
  - Elderly housing
  - Short-Term Rentals
- Group Living All Floors
  - Assisted Living
  - o Boarding house, rooming house, lodging house
  - Hospice
  - Dormitory
  - Fraternity and Sorority
  - Monastery/convent
  - Nursing home
  - Transitional home

# Commerce – First Floor as defined and regulated by the CCFBC

- Office
- Overnight Lodging
- Recreation/Entertainment
- Vehicle Sales
- Passenger Terminal
- Day Care
- Retail Sales & Service
- Restaurant/Bar/Lounge/Tavern
- Art Studio/Artisanal Manufacturing
- Research & Development

The proposed building will have three (3) 2-bedroom units and seven (7) 3-bedroom units – for a total of ten (10) residential dwelling units and twenty-seven (27) bedrooms. The CCFBC would require a total of twenty-four (24) reserved parking spaces for such a development. This CCPUD proposed to provide 100% of the required reserved parking spaces off-site through a lease with McFarlin Church. The CCPUD allows the applicant to alter its strategy for providing these parking spaces as the CCFBC otherwise allows, upon the applicant's election. While off-site parking leases are allowed to provide reserved parking within 1000' feet of a development site, the specifics of what the lease must require must be set forth in the PUD document itself. Thus, the parking arrangements are reviewed case-by-case when a CCPUD utilizes a lease. Further, the City relies upon the cooperation of the applicant and future owners in order to evaluate and enforce any such parking provisions.

Private Open Space will be provided on the west side of the building through covered patios, and through a roof deck.

To provide additional privacy and accommodate the proposed front façade awning, the residential structure is proposed to be an additional five feet (5') behind the existing two foot (2') Required Build Line along the Buchanan Avenue street frontage. The proposed location of the new building behind the established Required Build Line, RBL, will be done through the request for this CCPUD Narrative. Therefore, this rezoning request will move the RBL to seven feet (7') behind the property line.

# PROCEDURAL REQUIREMENTS:

**GREENBELT MEETING:** This property is already platted; therefore, Greenbelt review is not a requirement for this application.

**PRE-DEVELOPMENT:** A Pre-Development meeting is not required for this application.

**BOARD OF PARKS COMMISSIONERS:** Parkland dedication is not required for this application.

# **ZONING ORDINANCE CITATION:**

APPENDIX B, SEC. 520 CENTER CITY PLANNED UNIT DEVELOPMENT

A. Statement of Purpose: It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.
- 4. Provide more efficient and economic use of land resulting in an urban/ pedestrian environment.
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.

## **STAFF ANALYSIS:**

The applicant is requesting this CCPUD to accommodate the preferred structure illustrated on the attached drawings. The applicant is able to comply with many of CCFBC requirements.

However, due to the characteristics of this parcel and the design of the preferred structure, the applicant is requesting a variety of modifications to the Center City Form-Based Code, as follows:

- 1. Move the Required Build Line along Buchanan Avenue from two feet (2') behind the property line to seven feet (7') behind the property line.
- 2. Reduce the Siting requirement from 100% to 75% to allow access to the rear of the property.
- 3. Reduce the rear setback from fifteen feet (15') to ten feet (10').
- 4. Allow for main building signage to be located between the third and fourth stories.
- 5. Allow required parking to be provided off-site within 1,000 feet of the subject tract through a lease agreement.
- 6. Permit metal panels, except for R-style metal panels.
- 7. Reduce the required bike racks from three (3) to two (2).
- 8. Allow for the reduction in width of awnings to a 5-feet (5') clear width with a walking path of 4 feet (4') in width along Buchanan Avenue. The awning will not extend into the right-of-way.

**USE:** The allowed uses for this site are listed in the Permissible Use section of the CCPUD Narrative. The primary proposed use for this structure is residential on all floors with the possibility of ground floor commercial use, such as retail sales, in the future.

**PARKING:** Under the existing CCFBC, Urban Residential Frontage, a residential structure with three (3) 2-bedroom units and seven (7) 3-bedroom units – for a total of ten (10) residential dwelling units and twenty-seven (27) bedrooms, requires twenty-four (24) reserved parking spaces. As addressed above, the applicant is proposing to provide all twenty-four (24) parking spaces off-site in designated spaces via a lease with the McFarlin Church in a parking lot located within 1,000 feet of the subject tract.

**LANDSCAPING:** Three (3) street trees will be provided along Buchanan Avenue in front of the structure as required by the CCFBC. Two (2) trees will be provided to meet the Open Space requirement along the west side of the building, as shown on the Site Development Plan. Any trees planted shall be of a species that is listed in Section 506. Tree Lists, of the CCFBC, as amended thereafter, or otherwise approved by the City of Norman Forester, City of Norman ordinance, or appropriate City of Norman staff member.

**SIGNAGE:** All signage shall comply with 402. General Provisions, Section M of the CCFBC, along with the allowance for one (1) main building sign to be permitted within the area between the top story floor line and the roofline within a horizontal band not to exceed three feet (3') in height along the building frontage.

**LIGHTING:** The project shall comply with the requirements of the CCFBC under 402. General Provisions, Section N. Lighting & Mechanical section of the CCFBC.

**SANITATION/UTILITIES:** The applicant is proposing to use polycarts to serve this residential structure.

**FENCING/WALLS:** The required Street Walls will be provided as illustrated on the Site Development Plan. A six to eight foot (6'-8') wood fence will be allowed along the North, West, and South property lines as listed in the Landscaping section of the CCPUD Narrative.

# **ALTERNATIVES/ISSUES:**

**IMPACTS:** The applicant proposes a residential structure with ten (10) dwelling units and twenty-seven (27) bedrooms. The CCFBC requires a minimum of twenty-four (24) parking spaces to be provided for this number of bedrooms. The applicant is proposing all twenty-four (24) parking spaces be provided off-site but within the required 1,000 square feet walking distance of this structure. Additionally, the construction of this 4-story structure will require the removal of the one (1) on-street parking space, in front of this parcel, to provide an aerial access fire lane. Given the proximity of this residential structure to the University of Oklahoma and Campus Corner, the need for daily use of a vehicle by future tenants will be greatly diminished. Removing one (1) metered on-street parking space will reduce visitor parking on Buchanan Avenue. However, there is a public parking lot across the street from this parcel that can be utilized by visitors, thereby reducing the impact of the removal of this one (1) on-street parking. The proposed residential structure with its off-site parking will create the park-once environment for this structure as encouraged by the Center City Form-Base Code.

# **OTHER AGENCY COMMENTS:**

# FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

**Fire Comment:** Due to the height of the structure, Section D105 of the IFC will require an aerial access fire lane to be provided along one entire side of the structure. Based on discussions with the applicant, this aerial access fire lane will be placed along the curb in front of the structure.

**PUBLIC WORKS/ENGINEERING:** The subject property is platted as part of Larsh's University Addition.

**TRAFFIC ENGINEER:** The request to remove one (1) on-street parking space located in front of this parcel is allowable in order to provide an aerial access fire lane. The City will need notice at the time of building permit in order to coordinate the removal of the parking spaces and parking meter at this site.

#### **UTILITIES:**

**Solid Waste**: Solid waste service only for this site, no recycling, with a maximum of four (4) polycarts. At the time of building permit, the developer will need to show the location of polycarts for storage/use and also for proposed pickup along with the ground surface to be utilized. Recycling will only be available through the use of one of the regional recycling centers.

**Water:** Domestic and fire protection water services are required to be separate and must be new service lines from the main to the structure. In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The Developer is responsible for designing and constructing all fixtures and systems to provide adequate domestic and fire protection under minimum pressure conditions. The Developer will be responsible for any failure of domestic and fire protection systems which require water in excess of 25 psi.

Existing water services not proposed to be used must be abandoned at the main and existing material information must be provided to the Utilities Department at the time of building permit. Water service line materials must be identified at the time of demolition.

**Wastewater:** At the time of building permit, the property to the west will need to have an easement for their private sewer line since their only sewer access is on Buchanan, and existing sewer service(s), if not to be reused, must be abandoned at the main.

<u>CONCLUSION:</u> Staff forwards this request for Center City Planned Unit Development and Ordinance O-2425-20 for consideration by City Council.

<u>PLANNING COMMISSION RESULTS:</u> At their Special Meeting of February 3, 2025, Planning Commission recommended adoption of Ordinance O-2425-20 by a vote of 7-0.

## O-2425-20

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FIVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (428 BUCHANAN)

- § 1. WHEREAS, Sooner Crib LLC, the owners of the hereinafter described property, have made application to have the subject property removed from the CCFBC, Center City Form-Based Code District and placed in the CCPUD, Center City Planned Unit Development District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on February 3, 2025 as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the CCFBC, Center City Form-Based Code District and place the same in the CCPUD, Center City Planned Unit Development District, to wit:

A tract of land being a part of Lots Forty-five (45) and Forty-six (46) in Block One (1) of LARSH'S UNIVERSITY ADDITION to Norman, Cleveland County, Oklahoma, according to the recorded plot thereof, being more particularly described as follows:

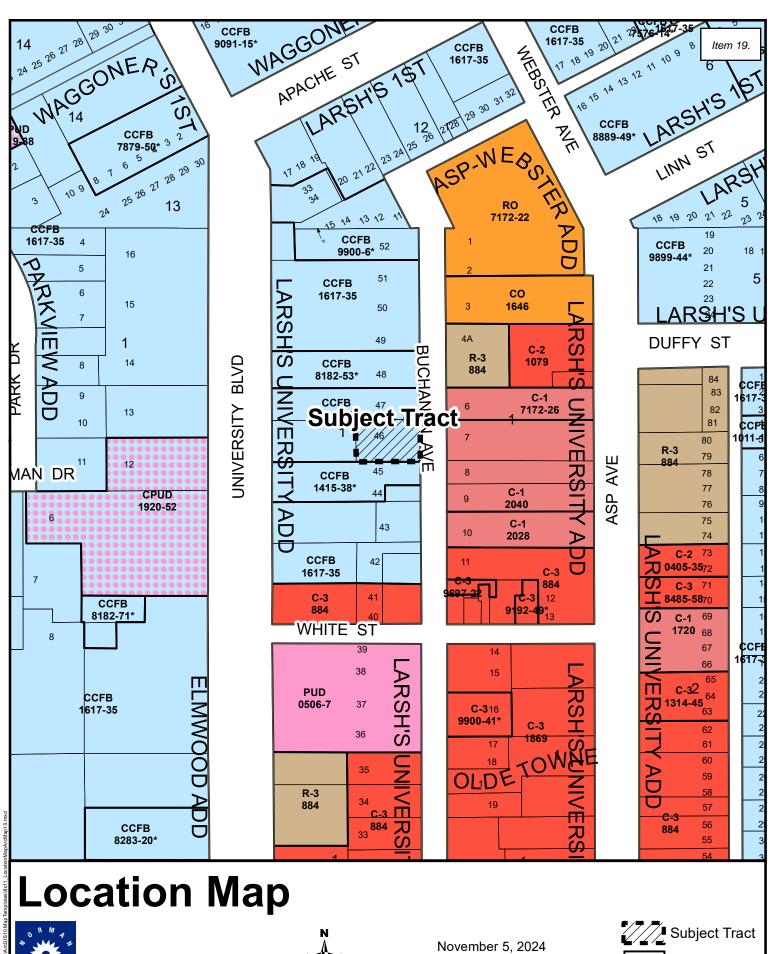
BEGINNING at the intersection of the North line of said Lot 46 and the West 40' right-of-way line of Buchanan Avenue; THENCE South 00'11'29" East along said West right-of-way line a distance of 64.00

feet to a point 14.00 feet South of the North line of said Lot 45; THENCE South 89'53'40" West and parallel with said South line a distance of 100.00 feet; THENCE North 00'11'29" West a distance of 64.00 feet to a point on said North line of Lot 46; THENCE North 89'53'40" East along said North line a distance of 100.00 feet to the POINT OF BEGINNING.

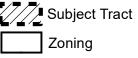
Said tract containing 6,400 square feet, or 0.147 acres, more or less

- § 5. Further, pursuant to the provisions of Section 36-509 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:
  - a. The site shall be developed in accordance with the CCPUD Narrative, Site Development Plan, and supporting documentation, which are made a part hereof.
- § 6. <u>Severability</u>. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this	day of	NOT ADOPTED this	day of
2025.	, 2025.		,
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			



0 150 Ft. 75



598

# 428 Buchanan

Norman, Oklahoma

**CSO** Development Corporation

A CENTER CITY PLANNED UNIT DEVELOPMENT APPLICATION FOR REZONING

Submitted December 2, 2024 Revised December 31, 2024

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# **EXHIBITS**

- A. Proposed Site Development Plan
- B. Legal Description of the Property

## I. INTRODUCTION

# A. Background and Intent

This Center City Planned Unit Development (the "**CCPUD**") is submitted for the development of the 428 Buchanan Avenue property (the "Property" or "Addition"). The Property is on the west side of Buchanan Avenue. The legal description is attached in Exhibit B.

The property has two dilapidated structures on them with a parking lot on along the north side. Neither structure are currently occupied and this Property is a good candidate for revitalization.

It is the intent of the Applicant to develop the Property into a leading example of Center City revitalization. The Applicant is Mr. Peter Petromilli.

The property where the new development sits is zoned CCFBC, Center City Form Based Code Urban General Frontage. The Applicant is able to conform to most of the lengthy and detailed CCFBC code provisions. However, due to the unique characteristics of this lot we are requesting modifications to the CCFBC to allow for the proposed design. Therefore, in the spirit of fulfilling the vision of CCFBC, the Applicants bring this CCPUD forward with requested variances from the CCFBC as is necessary for this proposed development. In order to accomplish these goals, the applicant hereby requests a rezoning to a CCPUD.

The current design is a 4-story residential building with seven 3-bed units and three 2-bed units. We are utilizing existing underutilized off-site parking in an effort to minimize additional surface parking. We are also revising the side yard setbacks to allow for emergency egress, and adjusting the front and rear setbacks to allow for an awning across the building frontage.

II. PROPERTY DESCRIPTIONS; EXISTING CONDITIONS

# A. Location

The Property is located at 428 Buchanan Avenue. The Property is on the west side of the Buchanan Avenue just north of Campus Corner. The specific location is illustrated on the attached Site Plan, as Exhibit A. See Exhibit B for legal description.

# B. Existing Land Use and Zoning

The Property is currently zoned CCFBC, Urban General Frontage. The existing

Property currently consists of two dilapidated residential structures and an existing parking lot.

# C. Elevation and Topography

The existing Property currently consists of two dilapidated structures and an existing parking lot. The existing structures and parking lot are being removed. There is no planned change to the general topography or drainage of the site. The impervious area of the new structure is similar to the buildings and parking previously located on this site.

# D. Drainage

The property is generally flat. The property currently drains to the East.

# E. Utility Services/ Public Works

All required utility systems for the project (including water, sewer, gas, and electric) are in immediate proximity to the Property, and long established.

The Property is already platted.

## F. Fire Protection Services

Fire protection services are as provided by the City of Norman Fire Department and per the City of Norman regulations for such.

## G. Traffic Circulation and Access

Buchanan Avenue is located to the east and there are properties on the North, South, and West of the property. Parking is being provided off site to the north and access to the property will be from the east side of the site.

#### III. DEVELOPMENT PLAN AND DESIGN CONCEPT.

# A. Permissible Uses

The Applicant proposes that for this Property, the following uses shall be permitted.

# **Residential**

- Household Living All Floors
  - One, two or three, or multi-dwelling unit structures or set of attached structures
  - Elderly housing

- Short-Term Rentals
- Group Living All Floors
  - Assisted Living
  - Boarding house, rooming house, lodging house
  - Hospice
  - Dormitory
  - Fraternity and Sorority
  - Monastery/convent
  - Nursing home
  - Transitional home

# **Commerce** – First Floor as defined and regulated by the CCFBC

- Office
- Overnight Lodging
- Recreation/Entertainment
- Vehicle Sales
- Passenger Terminal
- Day Care
- Retail Sales & Service
- Restaurant/Bar/Lounge/Tavern
- Art Studio/Artisanal Manufacturing
- Research & Development

# **B.** Development Criteria

1. Siting. The development shall comply with the setbacks shown on the Site Development Plan, Exhibit A. The Property shall be developed in substantial conformance with the Site Development Plan. To achieve a multimodal, pedestrian friendly environment, the RBL for the Property along Buchanan Avenue shall be moved back to 7'-0" behind the east property line, and this RBL shall replace the RBL as currently shown in the CCFBC Regulating Plan to provide privacy for ground story units and accommodate the proposed awnings. Setbacks on the north and south property lines shall be no less than 3'-0" and no more than 6'-0" on the property for the first 12' of the building. The west property line setback shall be no less than 10-0" with the exception of porches and balconies which may extend 5'-0" into the setback. The RBLs identified in the Regulating Plan for this parcel shall be identified and reset, as applicable, in accordance with this CCPUD.

Parking Setback Line will be maintained at 17' as shown on Site Development Plan Exhibit A.

Buildings on the Property fronting Buchanan Avenue shall be built at a

minimum of 75% and up to 100% of the RBL on the Property.

The applicable setbacks are illustrated on the Site Development Plan. Street walls with pedestrian gates shall be provided along the RBL facing Buchanan Avenue as illustrated on Exhibit A, Site Development Plan and Elevation drawings.

- 2. Building Height. The building shall be at least two stories in height at the RBL but no more than four stories. The ground story finished floor elevation shall be no lower than the average fronting public sidewalk elevation and no higher than 14-inches above the average fronting public sidewalk elevation. The ground story shall have a clear height of at least 9-feet along the RBL. The minimum clear height for each upper story is 9-feet.
- 3. Unit Minimum and Bedroom Maximums. This parcel shall have no less than three dwelling units. There is no maximum unit requirement. Ground story commercial units shall count toward the residential dwelling unit minimums. All DWELLING UNITS in a parcel shall be contained within a single structure or set of ATTACHED STRUCTURES. Each unit shall contain no more than three bedrooms.
- **4. Elements.** The Property shall be built in accordance with the terms of this CCPUD and the exhibits hereto.

## **Fenestration**

- Blank lengths of wall exceeding 20 linear feet are prohibited on all Required Build Lines (RBL) provided they are not within 3 feet of the property line.
- Ground story fenestration on all Required Build Lines (RBL) shall comprise between 33% and 70% of the ground story facade and exterior walls provided they are not within 5 feet of the property line.
- Upper story fenestration on all Required Build Lines (RBL) shall comprise between 20% and 70% of the façade and exterior wall area per story provided they are not within 5 feet of the property line.
- All fire rated exterior walls are exempt from fenestration requirements.

# **Building Projections**

- Awnings shall project a minimum of 4-feet from the facade.
- Awnings may have supporting posts at their outer edge provided that they:

- a. Have a minimum of 5-feet clear width between the façade and the awning support posts or columns, and
- b. Provide a continuous walking path at least 4-feet wide within that clear width, running parallel to the awning posts/columns.
- Awnings may not extend into the right-of-way.
- **5. Sanitation.** It is the intent to utilize poly-carts to handle sanitation requirements since access to an alley is unavailable and putting a dumpster along the Buchanan frontage is undesirable.
- 6. Signage. All signage shall comply with 402. General Provisions, Section M of the CCFBC, along with the following allowance: one main building sign is permitted within the area between the top story floor line and the roofline with a horizontal band not to exceed 3 feet (3') in height along the building frontage. The Property shall feature residential style building address numbers. Letters/numbers shall not exceed 18 inches (18") in height or width. Signs shall not come closer than 2-feet (2') to the adjacent Common Lot Line.
- 7. Traffic access and sidewalks. The existing drive off Buchanan Avenue will be removed with this redevelopment. There will be no vehicular access to this property since there is no alley access. Access for pedestrians is planned along Buchanan Avenue where the main entrance to the building is located. The sidewalk is being replaced along Buchanan Avenue. Parking is addressed in sub-paragraph III(B)(12) herein. Currently, twenty-four dedicated parking spaces shall be provided via a lease to be located off site and within a 1,000-foot walking distance. To the extent that dedicated parking is provided via lease, a copy of said lease shall be provided and on file in the City Planning offices. As the CCFBC is amended and/or as other parking options become available, the off-site parking strategy may also be amended but only as allowed by the CCFBC. Two bicycle parking spaces shall be provided on site.
- **8. Lighting.** The project shall comply with the requirements of the CCFBC under 402. General Provisions, Section N. Lighting & Mechanical, as amended thereafter.
- **9. Drainage.** The impervious area of the new structure is similar to the buildings and pavement previously located on this site. Drainage for the new development will utilize existing drainage systems.
- **10.Open Space.** The proposed Private Open Area will meet or exceed the CCFBC required 15% Private Open Area. The proposed open space shall be located on the north, south, and west sides of the building, by way of unit

patios and roof top patios.

- 11.Landscaping. Refer to attached Exhibit A, Site Development Plan, for the number of trees to be planted in the open space area and street trees in street tree alignment area. Any trees planted shall be of a species that is listed in Section 506. Tree Lists, of the CCFBC, as amended thereafter, or otherwise approved by the City of Norman Forester, City of Norman ordinance, or appropriate City of Norman staff member. Wood fencing 6'-8' tall shall be allowed along the North, West, and East property lines.
- 12. Parking. The one existing street parking space shall be removed and 24 off-site parking spaces shall be provided via lease within a 1,000-foot walking distance. Currently, Reserved Parking shall be provided through a lease with McFarlin Church with specific designated spaces for tenants of the Property. The Reserved Parking spaces will not be available to tenants on OU Home Football Games without an additional payment for the space. Where the CCFBC is amended and/or as other parking options become available, the off-site parking strategy may respond to those changes, and in compliance with the then-applicable CCFBC parking requirements. Due to limited space and proximity to the University, only two bicycle parking racks shall be provided on site.
- 13. Architectural Materials (exteriors). The Center City is a compact, walkable, mixed-use urban district. Traditional, sustainable, durable materials appropriate to the central Oklahoma climate will be utilized. Innovative, energy-efficient materials appropriate to a pedestrian-scaled urban environment will be used for this development.

The following materials are prohibited:

- Any lap siding except natural wood or cementitious fiberboard.
- Composition roofing shingles used as a wall material
- Exposed fastener metal, R-Style panels.
- Artificial stucco or EIFS, except high impact quality

#### C. CCFBC Standards

The Property shall be developed in accordance with the terms of this CCPUD and the exhibits attached hereto and incorporated by reference.

For convenience purposes, a summary of the proposed CCPUD is as follows:

1. Move the Required Build Line (RBL) along Buchanan Avenue from two (2')

- feet behind the property line to seven (7') behind property line.
- 2. Adjustment of the Siting requirement along Buchanan Avenue from 100% to 75% minimum due to the lack of alley and egress requirements from the west portion of the building.
- 3. Adjustment of the building setback line for the west property line to a minimum of 10'-0".
- 4. Allow a main building sign within the area between the top story floor line and the roofline with a horizontal band not to exceed 3 feet (3') in height.
- 5. Off-Site parking per the attached lease agreement or as allowed by the CCFBC. The one existing on street parking is being removed to provide an aerial fire lane.
- 6. Allow for all exposed fastener metal panels except for R-Style panels.
- 7. Allow for two bike racks.
- 8. Awnings may have supporting posts at their outer edge provided that they:
  - a. Have a minimum of 5-feet clear width between the façade and the awning support posts or columns, and
  - b. Provide a continuous walking path at least 4-feet wide within that clear width, running parallel to the awning posts/columns.
  - c. Awnings may not extend into the right-of-way.

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# Exhibit B

#### **LEGAL DESCRIPTION**

A tract of land being a part of Lots Forty-five (45) and Forty-six (46) in Block One (1) of LARSH'S UNIVERSITY ADDITION to Norman, Cleveland County, Oklahoma, according to the recorded plot thereof, being more particularly described as follows:

BEGINNING at the intersection of the North line of said Lot 46 and the West 40' right-of-way line of Buchanan Avenue; THENCE South 00'11'29" East along said West right-of-way line a distance of 64.00 feet to a point 14.00 feet South of the North line of said Lot 45; THENCE South 89'53'40" West and parallel with said South line a distance of 100.00 feet; THENCE North 00'11'29" West a distance of 64.00 feet to a point on said North line of Lot 46; THENCE North 89'53'40" East along said North line a distance of 100.00 feet to the POINT OF BEGINNING.

Said tract containing 6,400 square feet, or 0.147 acres, more or less.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 01/09/2025

**REQUESTER:** CSO Development Corporation

**PRESENTER:** Anais Starr, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-20: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, URBAN GENERAL FRONTAGE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE

SEVERABILITY THEREOF. (428 BUCHANAN AVENUE)

APPLICANT/REPRESENTATIVE CSO Development Corporation/Peter

Petromilli

**LOCATION** 428 Buchanan Avenue

WARD 4

CORE AREA Yes

REQUESTED ACTION Rezoning from CCFBC, Center City Form-

Based Code District, Urban General Frontage, to Center City Planned Unit

Development District.

LAND USE PLAN DESIGNATION Low Density Residential

GROWTH AREA DESIGNATION Current Urban Service Area

# **BACKGROUND:**

The applicant requests to rezone this parcel on Buchanan Avenue, designated as Center City Form-Based Code District, Urban General Frontage, to a Center City Planned Unit Development (CCPUD), as outlined in Appendix B of the Center City Form-Based Code. This property is

unique in that it does not have an alleyway along its rear property line and is a smaller lot size than is typically found in the CCFBC.

The proposal for this site is to construct a four-story residential building with a total area of 14,624 square feet, as illustrated in Exhibit A, Site Development Plan. The CCPUD proposes the following uses for the site:

# Residential

- Household Living All Floors
  - One, two or three, or multi-dwelling unit structures or set of attached structures
  - Elderly housing
  - Short-Term Rentals
- Group Living All Floors
  - Assisted Living
  - Boarding house, rooming house, lodging house
  - Hospice
  - Dormitory
  - Fraternity and Sorority
  - Monastery/convent
  - Nursing home
  - Transitional home

# Commerce – First Floor as defined and regulated by the CCFBC

- Office
- Overnight Lodging
- Recreation/Entertainment
- Vehicle Sales
- Passenger Terminal
- Day Care
- Retail Sales & Service
- Restaurant/Bar/Lounge/Tavern
- Art Studio/Artisanal Manufacturing
- Research & Development

The proposed building will have three (3) 2-bedroom units and seven (7) 3-bedroom units – for a total of ten (10) residential dwelling units and twenty-seven (27) bedrooms. A total of twenty-four (24) designated parking spaces are to be provided through a long-term lease with McFarlin Church. Private Open Space will be provided on the west side of the building through covered patios, and through a roof deck.

To provide additional privacy and accommodate the proposed front façade awning, the residential structure is proposed to be an additional five feet (5') behind the existing two foot (2') Required Build Line along the Buchanan Avenue street frontage. The proposed location of the new building behind the established Required Build Line, RBL, will be done through the request for this CCPUD Narrative. Therefore, this rezoning request will move the RBL to seven feet (7') behind the property line.

# **PROCEDURAL REQUIREMENTS:**

**GREENBELT MEETING:** This property is already platted; therefore, Greenbelt review is not a requirement for this application.

**PRE-DEVELOPMENT:** A Pre-Development meeting is not required for this application.

**BOARD OF PARKS COMMISSIONERS:** Parkland dedication is not required for this application.

# **ZONING ORDINANCE CITATION:**

APPENDIX B, SEC. 520 CENTER CITY PLANNED UNIT DEVELOPMENT

A. Statement of Purpose: It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.
- 4. Provide more efficient and economic use of land resulting in an urban/ pedestrian environment.
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.

# **STAFF ANALYSIS:**

The applicant is requesting this CCPUD to accommodate the preferred structure illustrated on the attached drawings. The applicant is able to comply with many of CCFBC requirements. However, due to the characteristics of this parcel and the design of the preferred structure, the applicant is requesting a variety of modifications to the Center City Form-Based Code, as follows:

- 1. Move the Required Build Line along Buchanan Avenue from two feet (2') behind the property line to seven feet (7') behind the property line.
- 2. Reduce the Siting requirement from 100% to 75% to allow access to the rear of the property.
- 3. Reduce the rear setback from fifteen feet (15') to ten feet (10').
- 4. Allow for main building signage to be located between the third and fourth stories.
- 5. Allow required parking to be provided off-site within 1,000 feet of the subject tract through a lease agreement.

- 6. Permit metal panels, except for R-style metal panels.
- 7. Reduce the required bike racks from three (3) to two (2).
- 8. Allow for the reduction in width of awnings to a 5-feet (5') clear width with a walking path of 4 feet (4') in width along Buchanan Avenue. The awning will not extend into the right-of-way.

**USE:** The allowed uses for this site are listed in the Permissible Use section of the CCPUD Narrative. The primary proposed use for this structure is residential on all floors with the possibility of ground floor commercial use, such as retail sales, in the future.

**PARKING:** Under the existing CCFBC, Urban Residential Frontage, a residential structure with three (3) 2-bedroom units and seven (7) 3-bedroom units – for a total of ten (10) residential dwelling units and twenty-seven (27) bedrooms, requires twenty-four (24) parking spaces. The applicant is proposing to provide all twenty-four (24) parking spaces off-site in designated spaces via a long-term lease with the McFarlin Church in a parking lot located within 1,000 feet of the subject tract.

**LANDSCAPING:** Three (3) street trees will be provided along Buchanan Avenue in front of the structure as required by the CCFBC. Two (2) trees will be provided to meet the Open Space requirement along the west side of the building, as shown on the Site Development Plan. Any trees planted shall be of a species that is listed in Section 506. Tree Lists, of the CCFBC, as amended thereafter, or otherwise approved by the City of Norman Forester, City of Norman ordinance, or appropriate City of Norman staff member.

**SIGNAGE:** All signage shall comply with 402. General Provisions, Section M of the CCFBC, along with the allowance for one (1) main building sign to be permitted within the area between the top story floor line and the roofline within a horizontal band not to exceed three feet (3') in height along the building frontage.

**LIGHTING:** The project shall comply with the requirements of the CCFBC under 402. General Provisions, Section N. Lighting & Mechanical section of the CCFBC.

**SANITATION/UTILITIES:** The applicant is proposing to use polycarts to serve this residential structure.

**FENCING/WALLS:** The required Street Walls will be provided as illustrated on the Site Development Plan. A six to eight foot (6'-8') wood fence will be allowed along the North, West, and South property lines as listed in the Landscaping section of the CCPUD Narrative.

#### **ALTERNATIVES/ISSUES:**

**IMPACTS:** The applicant proposes a residential structure with ten (10) dwelling units and twenty-seven (27) bedrooms. The CCFBC requires a minimum of twenty-four (24) parking spaces to be provided for this number of bedrooms. The applicant is proposing all twenty-four (24) parking spaces be provided off-site but within the required 1,000 square feet walking distance of this structure. Additionally, the construction of this 4-story structure will require the removal of the one (1) on-street parking space, in front of this parcel, to provide an aerial access fire lane. Given the proximity of this residential structure to the University of Oklahoma and

Campus Corner, the need for daily use of a vehicle by future tenants will be greatly diminished. Removing one (1) metered on-street parking space will reduce visitor parking on Buchanan Avenue. However, there is a public parking lot across the street from this parcel that can be utilized by visitors, thereby reducing the impact of the removal of this one (1) on-street parking. The proposed residential structure with its off-site parking will create the park-once environment for this structure as encouraged by the Center City Form-Base Code.

#### **OTHER AGENCY COMMENTS:**

#### FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:

**Fire Comment:** Due to the height of the structure, Section D105 of the IFC will require an aerial access fire lane to be provided along one entire side of the structure. Based on discussions with the applicant, this aerial access fire lane will be placed along the curb in front of the structure.

**PUBLIC WORKS/ENGINEERING:** The subject property is platted as part of Larsh's University Addition.

**TRAFFIC ENGINEER:** The request to remove one (1) on-street parking space located in front of this parcel is allowable in order to provide an aerial access fire lane. The City will need notice at the time of building permit in order to coordinate the removal of the parking spaces and parking meter at this site.

#### **UTILITIES:**

**Solid Waste**: Solid waste service only for this site, no recycling, with a maximum of four (4) polycarts. At the time of building permit, the developer will need to show the location of polycarts for storage/use and also for proposed pickup along with the ground surface to be utilized. Recycling will only be available through the use of one of the regional recycling centers.

**Water:** Domestic and fire protection water services are required to be separate and must be new service lines from the main to the structure. In accordance with ODEQ regulations, the City provides water at a minimum pressure of 25 psi. The Developer is responsible for designing and constructing all fixtures and systems to provide adequate domestic and fire protection under minimum pressure conditions. The Developer will be responsible for any failure of domestic and fire protection systems which require water in excess of 25 psi.

Existing water services not proposed to be used must be abandoned at the main and existing material information must be provided to the Utilities Department at the time of building permit. Water service line materials must be identified at the time of demolition.

**Wastewater:** At the time of building permit, the property to the west will need to have an easement for their private sewer line since their only sewer access is on Buchanan, and existing sewer service(s), if not to be reused, must be abandoned at the main.

<u>CONCLUSION:</u> Staff forwards this request for Center City Planned Unit Development and Ordinance O-2425-20 to Planning Commission for consideration and a recommendation to the City Council.

#### 428 Buchanan Rezoning

5. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-20: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOTS FORTY-FVE (45) AND FORTY-SIX (46) IN BLOCK ONE (1) OF LARSH'S UNIVERSITY ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE CCFBC, CENTER CITY FORM-BASED CODE DISTRICT, URBAN GENERAL FRONTAGE, AND PLACE SAME IN THE CCPUD, CENTER CITY PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (428 BUCHANAN AVENUE)

#### ITEMS SUBMITTED FOR THE RECORD

- Staff Report
- 2. Location Map
- 3. CCPUD Narrative
- 4. Site Plan

#### **Staff Presentation**

Lora Hoggatt, Planning Services Manager, presented the staff report.

Commissioner Jablonksi asked about the parking which is reserved for tenants at McFarlin Church and how the City regulates this. Beth Muckala, Assistant City Attorney, explained that the parking, which is regulated through a lease, is not connected to the PUD, Planned Unit Development.

Commissioner Jablonski also asked about recycling on the property. Ms. Hoggatt explained recycling is not required in multi-family developments in the Center City area.

#### **Applicant Presentation**

Commissioner Kindel asked why first floor parking was not considered. Peter Petromilli, Applicant, explained reducing the density by one floor to be used for parking when there are under utilized parking lots next door was not in their best interest.

Commissioner Jablonski asked about the request to decrease the bike racks from three to two. Mr. Petromilli explained bike racks are not utilized at other recent developments.

Commissioners also had some questions regarding the front setback and why it was requested to be moved back. Mr. Petromilli explained they wanted to include a covered patio in the front of the building so the residents could utilize outdoor space.

#### **Public Comments**

There were no public comments.

**Motion** by Commissioner Griffith to recommend approval of Ordinance O-2425-20; **Second** by Commissioner McDaniel.

Item 19.

#### File Attachments for Item:

20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-21 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(a)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK FOURTH ADDITION OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 02/25/2025

**REQUESTER:** Wildwood Community Church, Inc.

**PRESENTER:** Jane Hudson, Planning & Community Development Director

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR

POSTPONEMENT OF ORDINANCE O-2425-21 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(a)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK FOURTH ADDITION OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)

APPLICANT/REPRESENTATIVE Wildwood Community Church, Inc./Rieger Sadler and

Joyce LLC.

**LOCATION** 1501 24<sup>th</sup> Avenue NE

WARD 6

**REQUESTED ACTION** Site Plan amendment for Special Use for a Church,

Temple, or Other Place of Worship and Waiver to the

**Exterior Appearance Materials** 

LAND USE PLAN DESIGNATION Institutional

GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** This site is situated in the Hall Park Subdivision; the 6.67-acre parcel is currently home to the Wildwood Community Church. The subject property is currently zoned R-1, Single-Family Dwelling District, with Special Use for a Church, Temple or Place of Worship under Ordinance O-0607-04. The applicant is requesting to amend the existing approved site plan with the addition of a new accessory building/gymnasium; therefore, they must update the Special Use zoning for the site. The applicant intends to construct a 12,000 square foot student

center and gymnasium. The applicant has been informed that the project must meet all pertinent Zoning Ordinance requirements for commercial projects, including landscaping, building requirements, and commercial outdoor lighting standards.

#### PROCEDURAL REQUIREMENTS:

**GREENBELT COMMISSION MEETING:** This property is already platted; therefore, Greenbelt review is not a requirement for this request.

PRE-DEVELOPMENT: PD24-17 December 19, 2024

No neighbors attended this meeting.

**BOARD OF PARKS COMMISSIONERS:** This zoning project does not require a Board of Parks Commissioners review for parkland dedication. This applicant did previously approach the Board of Parks Commissioners regarding pedestrian bridges that will cross City parkland, allowing the Church direct access to parking lots on the north and south sides, as well as construction of a sidewalk along 24<sup>th</sup> Ave. NE to the south of the church. Wildwood agreed to be responsible for the maintenance and use of these bridges and, in a separate process not dependent upon this application, the City is currently in discussions regarding the necessary actions to effectuate this arrangement. See the attached minutes of the December 7, 2023 Board of Parks Commissioners meeting.

**ZONING ORDINANCE CITATION:** A Special Use request shall be reviewed and evaluated on the following criteria according to Sec. 36-560, Special Uses:

- 1. Conformance with applicable regulations and standards established by the Zoning Regulations.
- Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- 3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
- 4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
- 5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.

6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

STAFF ANALYSIS: The applicant proposes to construct a 12,000 square foot student center and gymnasium, in conjunction with the continued use of the church. The proposed building will be placed south and east of the existing church building. The addition of the proposed building will result in a net loss of sixty-nine parking spaces. The applicant is restriping and rearranging the accessible parking spaces directly west of the proposed building. Through a separate application, not part of this zoning request, the applicant is proposing to add an additional off-street parking area located south of the subject property. This new parking area consists of 115 parking spaces with a pedestrian bridge that allows passage through the adjacent parkland, the bridge will be donated to the City of Norman as an improvement and will be open to the public. As noted above, the pedestrian bridge proposal/dedication was on the Park Board agenda on December 7, 2023. Again, the parking area proposal is not part of this Special Use request but important to the overall flow of the development.

The project is bordered by City of Norman Parkland known as Wildwood Greenbelt, part of a system winding through the Hall Park Subdivision. The zoning surrounding the abutting Parkland is A-1, General Agricultural District (City of Norman property), and A-2, Rural Agricultural District, to the north and east, C-1, Local Commercial District, to the south, and R-1, Single-Family Dwelling District, to the west, across 24<sup>th</sup> Ave NE.

Section 36-547, Exterior Appearance, requires any institutional or nonresidential special use have all exterior walls constructed with masonry materials covering at least 80% of said walls, unless waived by City Council as part of the approval. The applicant is requesting a waiver from City Council for the masonry requirement for this proposed structure. Exterior elevations for the proposed structure are included in the packet.

The site will still comply with all relevant landscaping requirements. The applicant intends to meet all applicable regulations and standards for the Special Use of a Church and any recommendations deemed necessary from the Planning Commission or City Council.

#### **ALTERNATIVES/ISSUES:**

#### **IMPACTS**:

Development of a student center and gymnasium on this site would not be detrimental to the surrounding uses due to the anticipated traffic patterns generated by the use; the building will be used mostly on the weekends with occasional weekday operations. It will not be more intense than the existing use.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire hydrants, fire and building codes will be considered at the building permit stage. The plan review staff have already been in touch with the architect.

**PUBLIC WORKS**: The subject property is part of Hall Park, Section 4.

**TRAFFIC ENGINEER:** No traffic issues or impacts are anticipated.

**UTILITIES:** Water and sewer are currently being utilized on the property.

<u>CONCLUSION:</u> Staff forwards this request for amendment of a Special Use for a Church, Temple, or Other Place of Worship, and a Waiver to the Exterior Appearance requirement as Ordinance O-2425-21 for consideration by City Council.

<u>PLANNING COMMISSION RESULTS:</u> At their Special Meeting of February 3, 2025, Planning Commission recommended adoption of Ordinance O-2425-21 by a vote of 7-0.

#### O-2425-21

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(A)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK ADDITION OF THE INDIAN FOURTH MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)

- § 1. WHEREAS, Wildwood Community Church, Inc. has made application to have Special Use for a Church, Temple, or other place of Worship on the property described below in the R-1, Single-Family Dwelling District; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing on February 3, 2025 as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN. OKLAHOMA:

§ 4. That Section 36-201 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for a Church, Temple, or other place of Worship in the R-1, Single-Family Dwelling District, for the following described property, to wit:

Lot One (1), in Block Seventeen (17), of HALL PARK FOURTH ADDITION, to the Town of Hall Park, Cleveland County, Oklahoma, according to the recorded plat thereof.

Less & Except the following three (3) Parcels

Parcel 1

Commencing at the Northwest corner of said Lot 1, Block 17; thence North 90°00'00" East, along the North line of said Lot 1, Block 17, a distance of 45.00 feet to the Point of Beginning; thence continuing North 90°00'00" East, along the North line of said Lot 1, Block 17, a distance of 179.16 feet; thence South 60°00'00" East, along the Northeasterly line of said Lot 1, Block 17, a distance of 347.38 feet; thence South 30°00'00" East, along the Easterly line of said Lot 1, Block 17, a distance of 60.00 feet; thence North 60°00'00" West, parallel with the Northeasterly line of said Lot 1, Block 17, a distance of 228.83 feet; thence North 00°45'59" East a distance of 13.99 feet; thence North 89°14'01" West a distance of 25.00 feet; thence North 60°00'00" West, parallel with the Northeasterly line of said Lot 1, Block 17, a distance of 63.82 feet; thence South 90°00'00" West, parallel with the North line of said Lot 1, Block 17, a distance of 212.74 feet; thence North 45°00'00" West a distance of 26.88 feet; thence North 00°00'00" East, parallel with the West line of said Lot 1, Block 17, a distance of 46.00 feet to the Point of Beginning.

#### Parcel 2

Beginning at the Southeast corner of said Lot 1, Block 17; thence South 90°00'00" West, along the South line of said Lot 1, Block 17, a distance of 192.13 feet; thence North 00°00'00" East, parallel with the West line of said Lot 1, Block 17, a distance of 209.42 feet; thence North 22°21'24" West a distance of 65.78 feet; thence North 13°04'03" West a distance of 60.93 feet; thence North 00°00'00" East, parallel with the West line of said Lot 1, Block 17, a distance of 70.36 feet to a point on the Easterly line of said Lot 1, Block 17; thence South 30°00'00" East, along the Easterly line of said Lot 1, Block 17, a distance of 461.85 feet to the Point of Beginning.

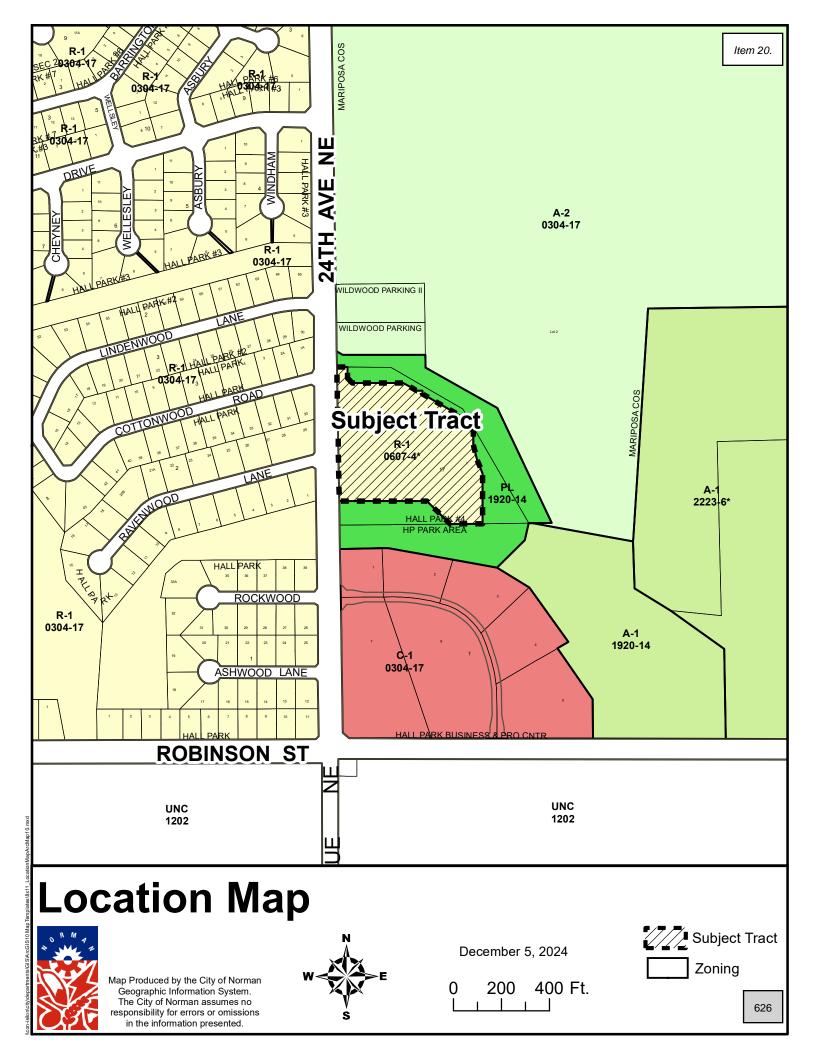
#### Parcel 3

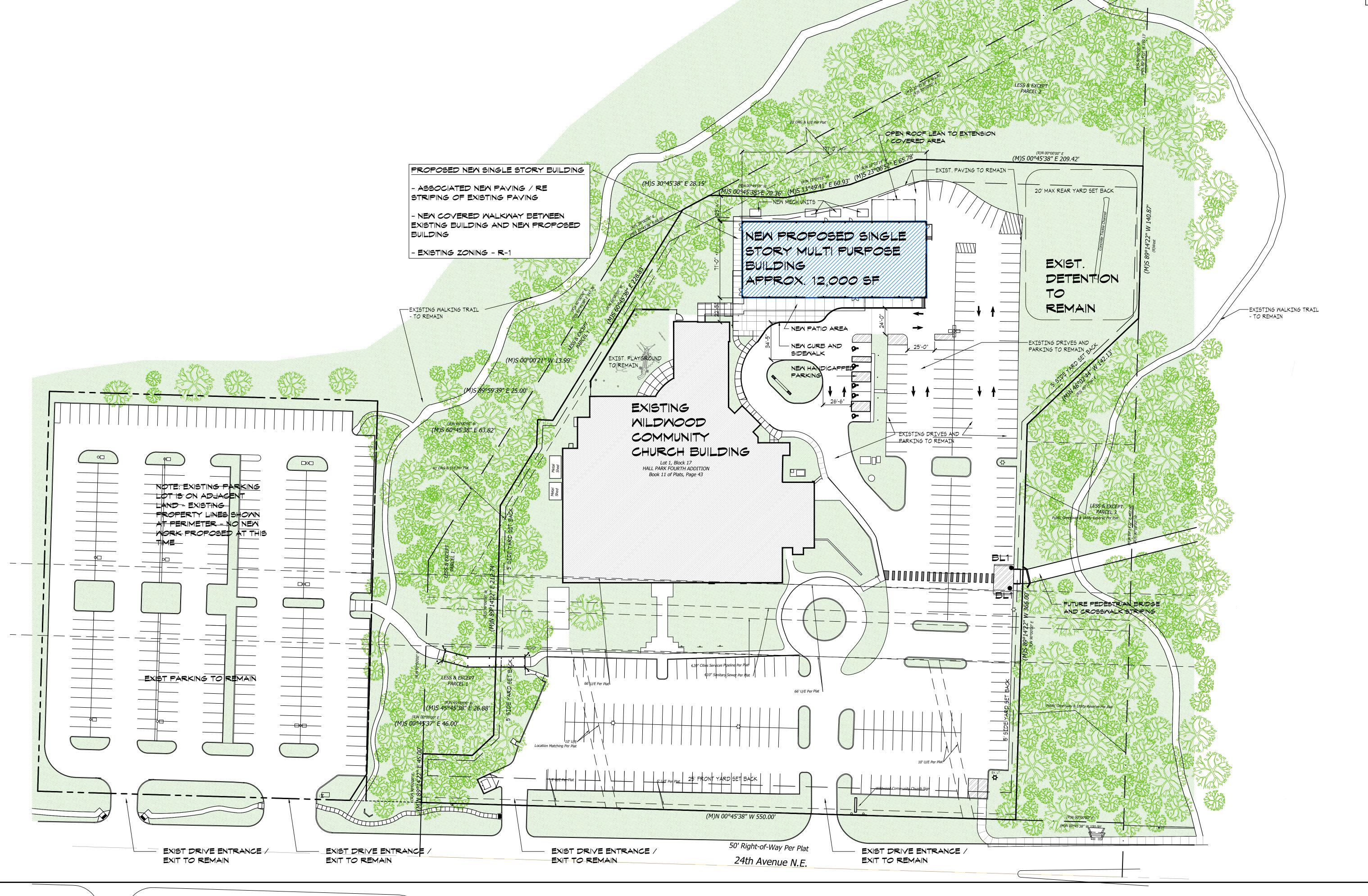
Beginning at the Southwest corner of said Lot 1, Block 17; thence North 00°00'00" East, along the West line of said Lot 1, Block 17, a distance of 100.00 feet; thence North 90°00'00" East, parallel with the South line of said Lot 1, Block 17, a distance of 366.00 feet; thence South 45°17'06" East a distance of 142.13 feet to a point on the South line of said Lot 1, Block 17; thence South 90°00'00" West, along the South line of said Lot 1, Block 17, a distance of 467.00 feet to the Point of Beginning.

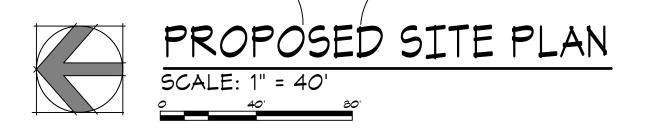
Containing 279,889.37 Sq. Ft. or 6.4253 Acres, more or less.

- § 5. Further, pursuant to the provisions of Section 36-560 of the Code of the City of Norman, as amended, the following conditions are hereby attached to the zoning of the tract:
  - a. The site shall be developed in accordance with the Site Plan, and supporting documentation, which are made a part hereof.
  - b. Buildings initially constructed on the site following the effective date of this Ordinance shall not be required to comply with the eighty (80) percent masonry requirements normally required for special uses.
- § 6. <u>Severability</u>. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this	day of	NOT ADOPTED this	day of
	, 2025.		,2025.
(Mayor)		(Mayor)	
ATTEST:			
(City Clerk)			







WILDWOOD COMMUNITY CHURCH MASTER PLAN CONCEPT December 13, 2024









December 2, 2024

City of Norman Planning Department 225 N. Webster Ave Norman, OK 73069

RE: Special Use Condition of Approval 1501 24th Ave NE, Norman, OK

Dear City of Norman,

We represent the Applicant, Wildwood Community Church, Inc., in the pending Application for a Special Use Permit for Church on the property located at 1501 24th Ave NE, Norman, OK. The subject property is currently zoned R-1, Single Family Dwelling, with a Special Use Permit for Church. The Applicant intends to continue to use the subject property as a church and add an additional building to the site for the Church's use. The Applicant desires to move forward with the following Condition of Approval. The Condition of Approval will be a requirement and condition to be continually complied with by the Applicant and any successors in interest. The Condition of Approval is as follows:

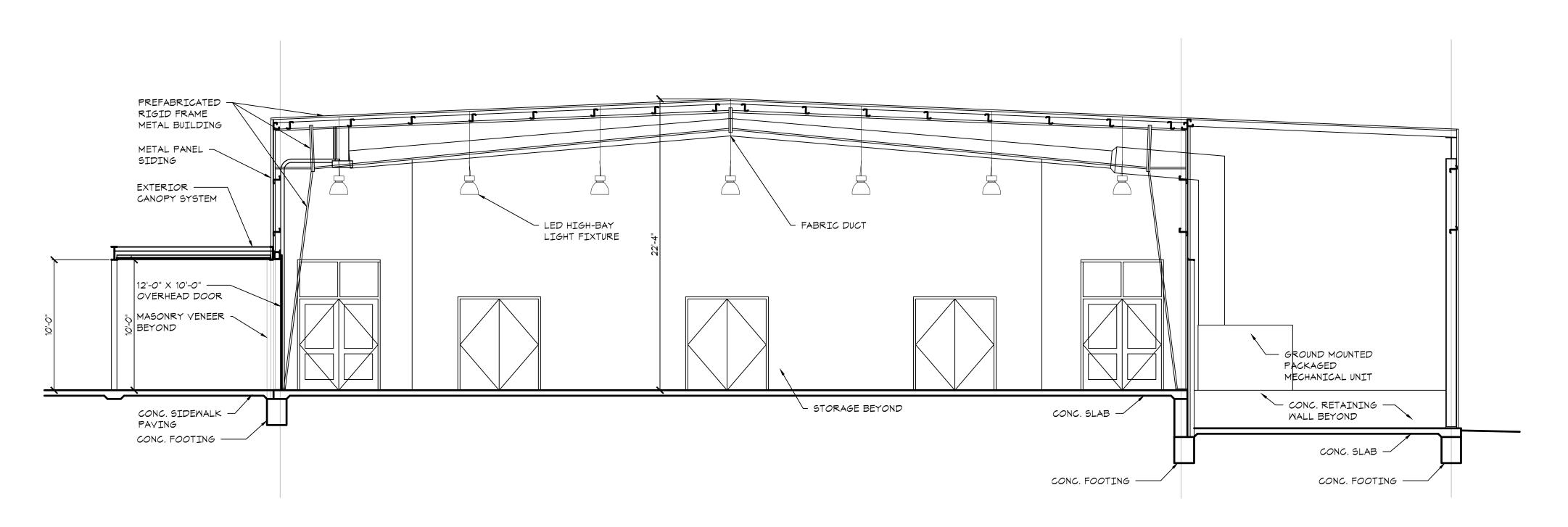
Waiver from Masonry Material Requirement, City Ordinance Section 36-547(a)(4). The new building to be constructed and utilized by the Church shall not be required to be constructed with any masonry materials.

We respectfully request your support for this Special Use Application. Please let us know if you have any questions. We thank you for your consideration. Respectfully and best wishes,

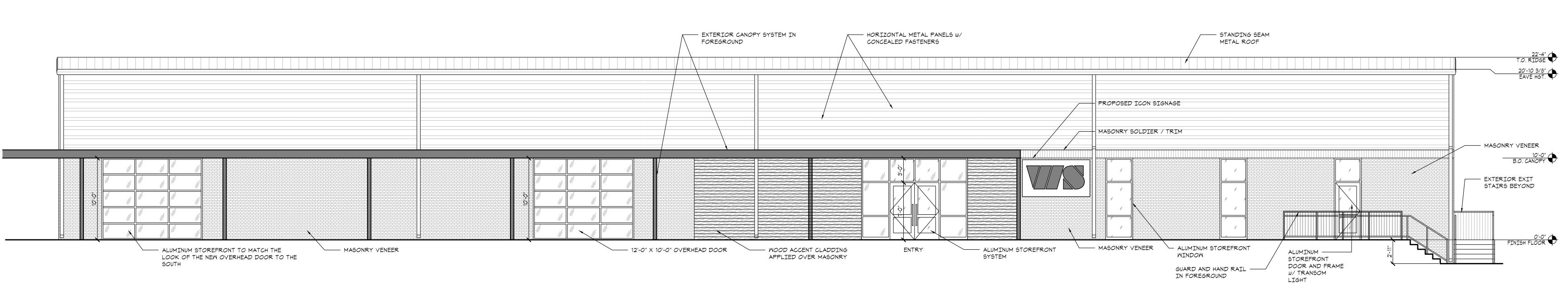
Very Truly Yours,

RIEGER SADLER JOYCE LLC

GUNNER B. JOYCE *Attorney at Law* 



# PROPOSED STUDENT BUILDING / GYM E-W SECTION SCALE: 3/16" = 1'-0"



PROPOSED STUDENT BUILDING / GYM WEST ELEVATION

SCALE: 3/16" = 1'-0"

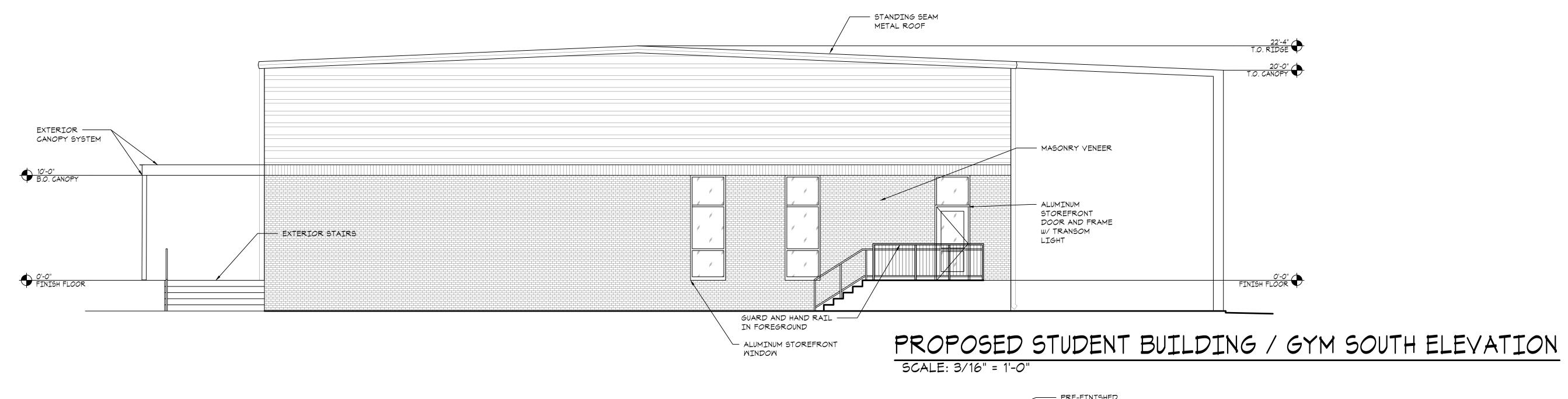
2 4' 8' 12'

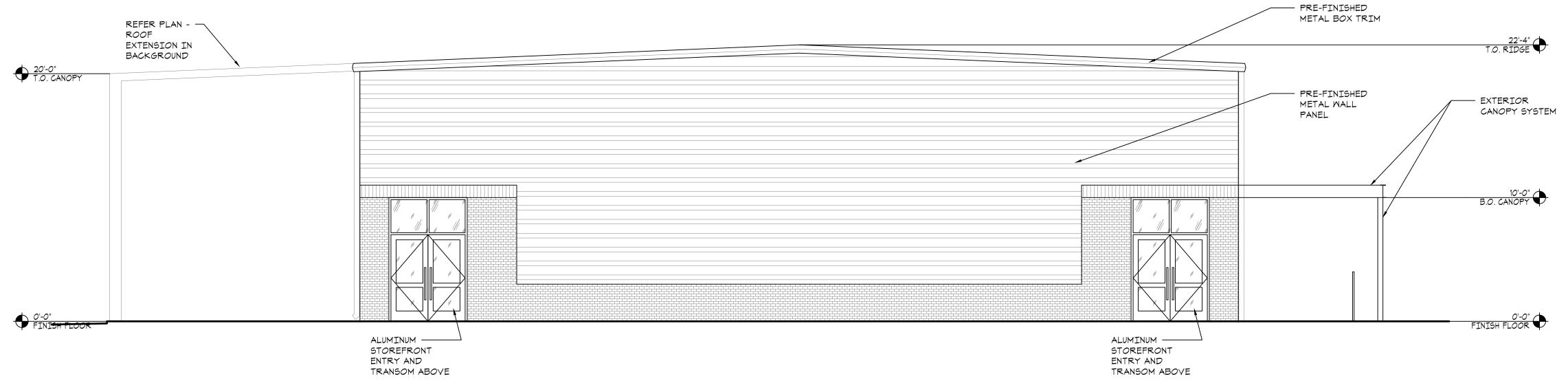
# WILDWOOD COMMUNITY CHURCH MASTER PLAN CONCEPT December 13, 2024

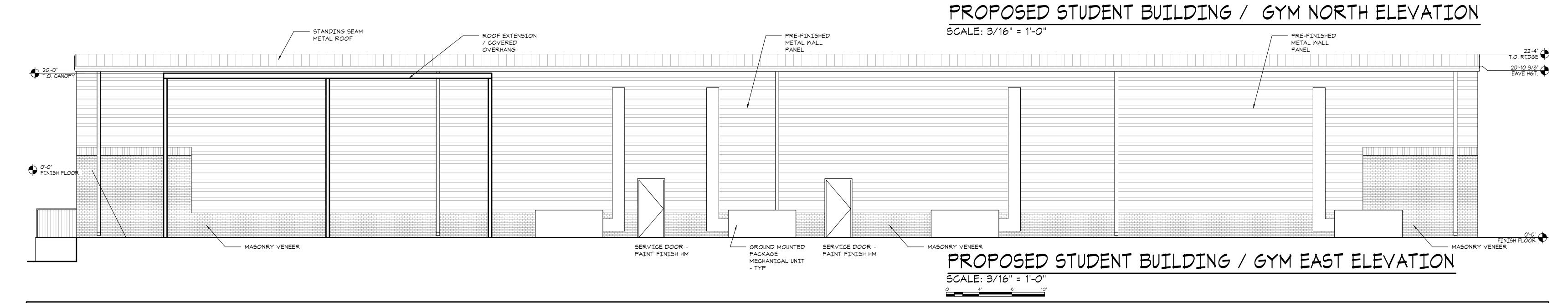












WILDWOOD COMMUNITY CHURCH
MASTER PLAN CONCEPT
December 13, 2024







#### Norman Board of Parks Commissioners December 7, 2023

The Norman Board of Parks Commissioners of the City of Norman, Cleveland County, State of Oklahoma, met in a Regular Session in the Executive Conference Room of the Norman Municipal Building, on the 7th day of December 2023 at 5:30 p.m., and notice of the agenda of the meeting were posted at the Municipal Building at 201 West Gray and on the City website at least 24 hours prior to the beginning of the meeting.

#### ROLL CALL

Present: Chair Wright and Commissioners Davison, Isacksen, Ross, Sallee, Sheriff, and Usry

Absent: Commissioners Moxley and One Vacancy

City Officials

Present: Jason Olsen, Director of Parks and Recreation

James Briggs, Park Development Manager

Veronica Tracy, Recreation Manager Wade Thompson, Parks Manager Bethany Grissom, Park Planner

Mitchell Richardson, Recreation Supervisor Karla Sitton, Administrative Technician IV

#### ITEM 1, being:

CONSIDERATION OF APPROVAL, REJECTION, AMENDED AND/OR POSTPONEMENT OF MINUTES FROM OCTOBER 5, 2023, PARK BOARD MEETING

Commissioner Isacksen made the motion, and Commissioner Ross seconded to approve the October 5, 2023, Park Board minutes. The vote was taken with the following results:

YEAH: Chair Wright and Commissioners Davison, Isacksen, Ross, Sallee, Sheriff, and Usry

NAY: None

#### ITEM 2, being:

CONSIDERATION OF APPROVAL, REJECTION, AMENDED AND/OR POSTPONEMENT OF PREVIOUSLY APPROVED COUNCIL ACTIONS

Mr. Jason Olsen, Director of Parks and Recreation, highlighted the previously approved Council actions pertaining to the Parks and Recreation Department.

The previously approved Council actions are as follows:

- Rebate payment in the amount of \$348 from Pepsi Bev Co to the City for the exclusive sale of Pepsi products at Westwood Golf and WWFAC
- Contract K-2324-74 is between the City & Center for Children and Families to operate the Boys & Girls Club Programming at the Reaves Park Center.
- Resolution R-2324-80, transferring \$37,609.76 from Reimbursements-Refunds-Miscellaneous General Account to be used for the Senior Wellness Center Project.
- Resolution R-2324-52, creating an Ad Hoc Steering Committee to work with consultants in the creation of the City's Area and Infrastructure Master Plan (AIM Norman) to name a replacement for a Steering Committee Member, acknowledging the addition of Parks and Recreation Plan, adding the list of partners, clarifying the process of selection of subcommittee members and setting attendance requirements
- Proclamation P-2324-17, commending City Employees and Department Coordinators for their generosity and leadership in the 2023 United Way of Norman Charity Campaign

ITEM 3, being:

CONSIDERATION OF APPROVAL, REJECTION, AMENDED AND/OR POSTPONEMENT OF LAND OR FEE IN LIEU OF PARKLAND FOR THE UNIVERSITY NORTH PARK ENTERTAINMENT DISTRICT PUD ADDITION

Mr. James Briggs, Park Development Manager, said the University North Park Entertainment District (UNPED) Addition PUD is located north of Rock Creek Road, between I-35 and 24th Avenue NW. This preliminary plat includes a large sports arena and many associated commercial developments in the southern half of the property. The northern half comprises a mix of residential uses, totaling 97 single-family lots and 750 multi-family housing units. At this density, the addition would generate a public parkland dedication of 3.9541 acres, and private park development would be twice the public amount, or 7.9082 acres. A private park decision would generate \$63,525 in Community Park Fees.

Mr. Briggs said the developer would like to pursue a private park decision and has asked the City to consider only the open space available throughout the residential northern half of the development to satisfy this requirement. These spaces total 7.94 acres, including the open area around the neighborhood clubhouse property and the land shown as open/green in several large traffic islands, undeveloped odd-shaped lots, easements, and walking spaces around the proposed ponds.

The developer's proposal includes walking trails, landscaped seating areas, picnicking spaces, and the clubhouse mentioned above, with usable land around that amenity. The developer also proposed an additional 9.1 acres of green space in the development's southern half, including shade seating, walking paths (around the ponds and connecting to the different use zones), and outdoor urban-style festival spaces around the arena.

Staff recommends a private park decision for the UNPED Addition PUD, provided that a combination of active and passive space is included in the planning of the private parkland. Commissioner Isacksen asked for clarification on whether only the north part of the land/plat is being considered for parkland. Mr. Briggs said the south part of the land/plat is not driving the parkland decision, and no residential area is being proposed south of Radius Way.

Commissioner Usry made the motion, and Commissioner Isacksen seconded approving and accepting a private parkland decision with 7.908 access for the University North Park Entertainment District Addition PUD. The vote was taken with the following results:

YEAH: Chair Wright and Commissioners Davison, Isacksen, Ross, Sallee, Sheriff, and Usry

NAY: None

ITEM 4, being:

### CONSIDERATION OF APPROVAL, REJECTION, AMENDED AND/OR POSTPONEMENT OF LAND OR FEE IN LIEU OF PARKLAND FOR THE SOONER VILLAGE ADDITION PUD

Mr. James Briggs, Park Development Manager, said the Sooner Village Addition PUD is located at the southwest corner of the intersection of State Highway 9 and Jenkins Avenue. He said this preliminary plat includes a variety of uses, including a gas/convenience store at the highway intersection, areas of mixed commercial space, self-storage units, office/warehouse area, a hotel, and some residential properties that are a mix of townhomes, apartments, and duplexes. A total of 211 units is proposed, generating a public parkland dedication requirement of 0.9337 acres at this density. A private park development would be twice the public amount, or 1.8674 acres, and generate \$15,825 in Community Park Development Fees.

Mr. Briggs said the developer would like to pursue a private park decision and has shown several acres of open space and/or private parkland on the preliminary plat that could satisfy this request. These areas will have walking trails, outdoor sports, playgrounds, and picnic areas. The developer will be required to provide proof of all park development costs equal to or greater than that which the City would have collected in park fees when

#### Park Board Meeting Page 3 of 6 December 7, 2023

building permits are issued in the future. This PUD is in an area isolated from other public parks to a large extent. The nearest park is Eagle Cliff; however, no sidewalk or street leads to that neighborhood without traveling along Highway 9 for most of the route. Any funds used to improve Eagle Cliff would not be readily accessible to the Sooner Village Addition PUD residents.

Mr. Briggs said staff favors a private park decision for the Sooner Village Addition PUD, provided that a combination of active and passive space is included in the planning of private parkland. Commissioner Ross asked whether the tree line could be cut down along Bishop Creek, and Mr. Briggs said no, it would stay as is. Commissioner Isacksen asked who would ensure the developer complies with proof of all park development cost requirements. Mr. Briggs said the developer will provide a plan and submit bonds (maintenance and statutory bonds), and staff will inspect and return the bonds once they are completed. He said the developer/builder cannot obtain Certificates of Occupancy for residential building permits if they do not comply with the requirement(s).

Commissioner Davison made the motion, and Commissioner Sallee seconded to approve and accept a private parkland decision for the Sooner Village Addition PUD. The vote was taken with the following results:

YEAH: Chair Wright and Commissioners Davison, Moxley, Ross, Sallee, Sheriff, and Usry

NAY: None

Chair Wright requested to move to item #6 as a courtesy to applicants who are present.

ITEM 6, being:

CONSIDERATION OF APPROVAL, REJECTION, AMENDED AND/OR POSTPONEMENT OF A WILDWOOD COMMUNITY CHURCH BRIDGE REQUEST IN THE HALL PARK GREENBELT

Mr. Mark Robinson, Pastor at Wildwood Community Church (Wildwood), introduced himself and Toni Bragg with the McKinney Partnership Architects to the Board. Mr. Robinson said in 2007, Wildwood entered a land exchange with the City of Norman Parks and Recreation Department. The Church transferred property located on the east and south sides of the church property that abuts up to the existing greenbelt (totaling 102,176 sq. ft.), and in return, the City transferred City property north of the existing church building and greenbelt area (totaling 49,580 sq ft). This exchange would allow the City to expand the existing greenbelt and allow Wildwood Community Church to build a much-needed parking lot. In 2008, Wildwood built a wood pedestrian bridge that connected their new parking lot to the church campus. Mr. Robinson said Wildwood would like to construct a second pedestrian bridge to connect a new parking lot area to the Wildwood campus better. He said the proposed bridge would be built over the existing greenbelt trail and have double columns to minimize impact to waterflow. Mr. Robinson noted Wildwood would also like permission to construct a new sidewalk along 24th Avenue from the parking lots to the south that would connect to the trail/walk and continue north to Wildwood Campus. He showed the Board a site plan of the existing bridge, proposed a new bridge, and proposed a new sidewalk. Mr. Bragg said the new sidewalk will connect the neighborhood to the trail systems in Hall Park. Commissioner Davison asked who would maintain the bridge, and staff said Wildwood would be responsible. Commissioner Isacksen asked if the newly proposed bridge would be twice the size of the existing bridge, and Mr. Robinson said ves.

Commissioner Usry made the motion, and Commissioner Davison seconded to recommend granting the easement to Wildwood Community Church to allow the construction of a new pedestrian bridge to their campus and a new sidewalk along 24th Avenue that will connect the neighborhood to the Hall Park trail system. The vote was taken with the following results:

YEAH: Chair Wright and Commissioners Davison, Moxley, Ross, Sallee, Sheriff, and Usry

NAY: None

#### Park Board Meeting Page 4 of 6 December 7, 2023

Chair Wright went back to Item #5.

ITEM 5, being:

CONSIDERATION OF APPROVAL, REJECTION, AMENDED AND/OR POSTPONEMENT OF AN UPDATE REGARDING THE YOUNG FAMILY ATHLETIC CENTER (YFAC) POLICY AND FEE SCHEDULE

Mr. Jason Olsen, Director of Parks and Recreation, said the Council Business and Community Affairs Committee (BACA) recently discussed the Young Family Athletic Center (YFAC) Policy; however, discussions continue regarding the hours of operation and fee schedule. He said BACA requested staff removal or planning from policy, and the board agreed. Mr. Olsen said recent discussions regarding the YFAC hours of operation prompted the City to consider opening the facility on Sundays. He highlighted the proposed hours of operation to include the following:

Monday – Friday: 7:00 am - 9:00 pmSaturday: 8:00 am - 6:00 pmSunday: 12:00 pm - 4:00 pm

Mr. Olsen said recent discussions also suggested the YFAC will have a minimum of one hundred (100) hours of community open guy/swim annually for Norman residents at no cost by opening the facility to the public during non-regular operating hours. Commissioner Ross asked whether the 100 hours would be random or somewhat regular, and staff said the YFAC would be scheduled well ahead of time so that the random hours would be scheduled monthly.

Mr. Olsen updated the Community Partners agreements with the Norman Optimist Club, Norman Public Schools, and Sooner Swim Club Rise Volleyball. He said the Council will consider a contract on December 12<sup>th</sup> with Beanstalk Coffee and Sno (Beanstalk) as the exclusive Food and Beverage provider inside the YFAC. He said Beanstalk's hours of operation will match the hours of operation for the YFAC, and they will have complete control of the menu. Mr. Olsen said the City has also been discussing a contract with the Trae Young Family Foundation to operate the Adidas store located in the YFAC.

Commissioner Sallee made the motion, and Commissioner Davison seconded to recommend the Operating Hours and Serviceability of the YFAC Policy to state the Parks and Recreation Department commits to having the center available for passive activities at an average of 70 hours per week (removing *or planned* per BACA request) and include a minimum one hundred (100) hours of community open gym/swim annually for Norman residents at no cost by opening the facility to the public during non-regular operating hours. The vote was taken with the following results:

YEAH: Chair Wright and Commissioners Davison, Moxley, Ross, Sallee, Sheriff, and Usry

NAY: None

ITEM 7, being:

#### ANNUAL PRESENTATION FROM THE WESTWOOD FAMILY AQUATIC CENTER

Ms. Veronica Tracy, Recreation Manager, highlighted the annual Westwood Family Aquatic Center (WWFAC) annual report. She said attendance for the 2023 season was as follows: 14,538 Aquatic Programs, 2,372 Special Events, 112,942 Open Swim, and 790 Rentals for a total season attendance of 130,642, just up from last year's 129,879. Ms. Tracy said 7,546 Season Passes were purchased, 2,322 Swim Lessons were bought, and WWFAC provided 2,120 scholarships.

Ms. Tracy said the 2023 WWFAC revenue was \$1,022,583.08, up slightly from 963,214.77 in 2022. She said the revenue includes season pool passes, swim lessons, gate admission, concession sales, special events, lockers, rentals, classes, and merchandise. Ms. Tracy said the staff is considering giving season pass holders free lockers for 2024. Chair Wright asked where the WWFAC revenue goes, and Staff said it goes to the Westwood Fund 634

#### Park Board Meeting Page 5 of 6 December 7, 2023

Ms. Tracy said the City hires over 140 seasonal employees at the WWFAC each summer. She said WWFAC has a fantastic team; most are rehires from previous seasons. She highlighted the aquatic program and said the Teen Aquatic Safety Program was new and worked very well. She said teens, 13 to 15 years old, participate in the Aquatic Safety Program, and then they can enter WWFAC without an adult; otherwise, they cannot enter WWFAC without a parent/adult. Ms. Tracy said WWFAC offers several different events for families and adults and noted that over 2,000 participated in the summer of 2023, including Free Scuba Lessons in partnership with Warriors for Freedom and Blue Water Dive Shop and an Inclusive Swim in partnership with Sooner Success.

Ms. Tracy said future WWFAC projects that could be funded through a capital project and/or bond project include installing eight Private Cabanas and a Flow Rider. She told me the cabanas could accommodate half-day or whole-day rentals, and the Return on Investment (ROI) would be about two seasons. The Flow Rider is a surf simulator that would be an investment for the WWFAC and not an ROI; however, it is the only attraction that revenue can be built around, i.e., Flow Rider birthday parties, private lessons, and/or special events.

The Board acknowledged the report.

ITEM 8, being:

#### NORMAN FORWARD UPDATE

Mr. Jason Olsen, Director of Parks and Recreation, gave an update on the Norman Forward Projects.

#### Young Family Athletic Center

Mr. Olsen said the second asphalt layer was added to the parking lot, parking stripes will be painted soon, and landscaping has begun. He said the pool would be quickly plastered, and the electricity was being finished. Mr. Olsen said the basketball courts have been installed and look fantastic, and the scoreboards will be mounted soon. He showed pictures depicting the progress and said the ribbon cutting is still scheduled for February 19, 2024.

#### **Adult Wellness and Education Center**

Mr. Olsen said the ribbon cutting was held on November 13<sup>th</sup> at the Adult Wellness and Education Center (AWE) and exceeded all expectations. He told the AWE already has 900 members, and the 1,000<sup>th</sup> member will get a prize.

#### **Reaves Park**

Mr. Olsen said the latest Norman Forward quality-of-life initiative through public art was unveiled at Reaves Park on December 5. He said "Mechan 14", a 15-foot robot sculpture by artist Tyler Fuqua, is the first giant robot in Norman and offers a dynamic presence in the park. He said the giant robot has interchangeable parts that allow it to transform from a Home Run Mechan with a baseball bat to a Bold Knight Mechan with a sword.

ITEM 9, being:

#### DIVISIONAL UPDATES

Ms. Veronica Tracy, Recreation Manager, said the Andrews Park Community Tree Lighting is tomorrow, December 8th. She said festivities would begin at 5:30 pm, and participants could enjoy hot cocoa and holiday music while waiting on the tree lighting at dark. Winterfest at Legacy Park is on December 9th at 5:30 p.m. Talk of the Town will perform holiday classics, little ones can have their picture taken with Santa and a fireworks extravaganza will take place at 7:00 p.m. Ms. Tracy said the Annual Ugly Sweater Run is on December 10th at Legacy Park. Runners can run or walk the 3K and are encouraged to wear their favorite seasonal sweater.

Commissioner Sallee left the meeting at 7:02 p.m.

#### Park Board Meeting Page 6 of 6 December 7, 2023

Ms. Tracy said the YFAC basketball registration is open, and the Daddy Daughter Dance (DDD) and Mom Prom tickets are on sale. The DDD is on February 10<sup>th</sup> at Embassy Suites, and the Mom Prom is on May 4<sup>th</sup> at The Noun.

Mr. James Briggs, Park Development Manager, said work continues on the pickleball courts at Bentley Park. He said playground bids for Sunrise and Falls Lakeview Parks and a new restroom building at Reaves Park had gone out. Mr. Briggs said staff will present the Andrews Park Master Plan at a Council Study Session on December 6th, and the Council will consider approving the Master Plan at a January Council meeting.

Mr. Wade Thompson, Parks Manager, said Park Maintenance Staff has been assisting with projects at the YFAC, helping with all the upcoming holiday events, removing trees on City property, replacing a tin horn at Saxon Park, and doing fence maintenance at the Andrews Park Skate Park.

Mr. Wade Thompson, Parks Manager, said staff is helping assist with the Parks and Recreation Division events and continue to install the annual Christmas Lights throughout the City.

#### MISCELLANEOUS DISCUSSION

Mr. Jason Olsen, Director of Parks and Recreation, said the Norman Public Library Central branch closed November 13<sup>th</sup> after officials were made aware that mold was found at the facility. After investigating, contractors discovered several areas of mold on each library floor from water intrusion potentially stemming from roof and envelope issues. Mr. Olsen said the Central Library will remain closed for five months while Cavins Group (a company specializing in disaster response) assists with mold remediation. He said the City is hiring a building envelope consultant to help determine the underlying cause of the mold growth.

PUBLIC COMMENTS		
None.		
ADJOURNMENT		
Chair Wright adjourned the meeting at 7:10	p.m.	
Passed and approved thisof	2	2024
Sherrel Sheriff, Chair		

#### **City of Norman Predevelopment**

**December 19, 2024** 

Applicant: Wildwood Community Church, Inc./Rieger Sadler and Joyce LLC.

Project Location: 1501 24th Avenue NE

Case Number: PD24-17

**Time:** 5:30 p.m.

#### **Applicant Representative:**

Wildwood Community Church Rieger Sadler and Joyce LLC. Herschel Thompson

#### **Attendees:**

None

#### **City Staff:**

Kelly Abell, Planner I Beth Muckala, City Attorney

#### **Application Summary**:

A request for Special Use for a Church, Temple, or Other Place of Worship with a Waiver to the Exterior Appearance requirements.

#### Neighbor's Comments/Concerns/Responses:

No neighbors attended this meeting.



# CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 01/09/2025

**REQUESTER:** Wildwood Community Church, Inc.

**PRESENTER:** Kelly Abell, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION,

AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-21: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(a)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK FOURTH ADDITION OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)

APPLICANT/REPRESENTATIVE Wildwood Community Church, Inc./Rieger Sadler and

Joyce LLC.

**LOCATION** 1501 24<sup>th</sup> Avenue NE

WARD 6

**REQUESTED ACTION** Site Plan amendment for Special Use for a Church,

Temple, or Other Place of Worship and Waiver to the

**Exterior Appearance Materials** 

LAND USE PLAN DESIGNATION Institutional

GROWTH AREA DESIGNATION Current Urban Service Area

**BACKGROUND:** This site is situated in the Hall Park Subdivision; the 6.67-acre parcel is currently home to the Wildwood Community Church. The subject property is currently zoned R-1, Single-Family Dwelling District, with Special Use for a Church, Temple or Place of Worship under Ordinance O-0607-04. The applicant is requesting to amend the existing approved site plan with the addition of a new accessory building/gymnasium; therefore, they must update the Special Use zoning for the site. The applicant intends to construct a 12,000 square foot student

center and gymnasium. The applicant has been informed that the project must meet all pertinent Zoning Ordinance requirements for commercial projects, including landscaping, building requirements, and commercial outdoor lighting standards.

#### PROCEDURAL REQUIREMENTS:

**GREENBELT COMMISSION MEETING:** This property is already platted; therefore, Greenbelt review is not a requirement for this request.

PRE-DEVELOPMENT: PD24-17 December 19, 2024

No neighbors attended this meeting.

**BOARD OF PARKS COMMISSIONERS:** This zoning project does not require a Board of Parks Commissioners review for parkland dedication; however, due to a request from the church to dedicate to the City of Norman a pedestrian bridge that will cross parkland, this item was reviewed by Parks Commissioners at their December 7, 2023 meeting. See Item 6 in the attached Park Board minutes for additional information.

**ZONING ORDINANCE CITATION:** A Special Use request shall be reviewed and evaluated on the following criteria according to Sec. 36-560, Special Uses:

- 1. Conformance with applicable regulations and standards established by the Zoning Regulations.
- Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- 3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
- 4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
- 5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
- That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

STAFF ANALYSIS: The applicant proposes to construct a 12,000 square foot student center and gymnasium, in conjunction with the continued use of the church. The proposed building will be placed south and east of the existing church building. The addition of the proposed building will result in a net loss of sixty-nine parking spaces. The applicant is restriping and rearranging the accessible parking spaces directly west of the proposed building. Through a separate application, not part of this zoning request, the applicant is proposing to add an additional off-street parking area located south of the subject property. This new parking area consists of 115 parking spaces with a pedestrian bridge that allows passage through the adjacent parkland, the bridge will be donated to the City of Norman as an improvement and will be open to the public. As noted above, the pedestrian bridge proposal/dedication was on the Park Board agenda on December 7, 2023. Again, the parking area proposal is not part of this Special Use request but important to the overall flow of the development.

The project is bordered by City of Norman Parkland known as Wildwood Greenbelt, part of a system winding through the Hall Park Subdivision. The zoning surrounding the abutting Parkland is A-1, General Agricultural District (City of Norman property), and A-2, Rural Agricultural District, to the north and east, C-1, Local Commercial District, to the south, and R-1, Single-Family Dwelling District, to the west, across 24<sup>th</sup> Ave NE.

Section 36-547, Exterior Appearance, requires any institutional or nonresidential special use have all exterior walls constructed with masonry materials covering at least 80% of said walls, unless waived by City Council as part of the approval. The applicant is requesting a waiver from City Council for the masonry requirement for this proposed structure. Exterior elevations for the proposed structure are included in the packet.

The site will still comply with all relevant landscaping requirements. The applicant intends to meet all applicable regulations and standards for the Special Use of a Church and any recommendations deemed necessary from the Planning Commission or City Council.

#### **ALTERNATIVES/ISSUES:**

#### **IMPACTS**:

Development of a student center and gymnasium on this site would not be detrimental to the surrounding uses due to the anticipated traffic patterns generated by the use; the building will be used mostly on the weekends with occasional weekday operations. It will not be more intense than the existing use.

#### **OTHER AGENCY COMMENTS:**

**FIRE DEPARTMENT AND BUILDING PERMIT REVIEW:** Items regarding fire hydrants, fire and building codes will be considered at the building permit stage. The plan review staff have already been in touch with the architect.

**PUBLIC WORKS**: The subject property is part of Hall Park, Section 4.

**TRAFFIC ENGINEER:** No traffic issues or impacts are anticipated.

**UTILITIES:** Water and sewer are currently being utilized on the property.

<u>CONCLUSION:</u> Staff forwards this request for amendment of a Special Use for a Church, Temple, or Other Place of Worship, and a Waiver to the Exterior Appearance requirement as Ordinance O-2425-21 for consideration by Planning Commission and recommendation to City Council.

#### **Wildwood Community Church Special Use**

6. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2425-21: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 36-201 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE, OR OTHER PLACE OF WORSHIP WITH A WAIVER OF SECTION 36-547(a)(4) PERTAINING TO EXTERIOR APPEARANCE IN THE R-1, SINGLE-FAMILY DWELLING DISTRICT FOR LOT ONE (1), IN BLOCK SEVENTEEN (17), OF HALL PARK FOURTH ADDITION OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1501 24<sup>TH</sup> AVE NE)

#### ITEMS SUBMITTED FOR THE RECORD

- 1. Staff Report
- 2. Location Map
- 3. Waiver for Masonry Material Requirement
- 4. Master Plan
- 5. December 7, 2023 Park Board Meeting Minutes

#### **Staff Presentation**

Kelly Abell, Planner I, presented the staff report.

#### **Applicant Presentation**

Libby Smith, Representative of Applicant, presented on the proposed Special Use.

#### **Public Comment**

There were no public comments.

#### **Commission Discussion**

There was discussion regarding a pedestrian bridge from a Park Board meeting which is not part of this Special Use request.

**Motion** by Commissioner McDaniel to recommend approval of Ordinance O-2425-21; **Second** by Commissioner Kindel.

The motion passed unanimously with a vote of 7-0.