



CITY OF NORMAN, OK CITY COUNCIL CONFERENCE

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

Tuesday, September 14, 2021 at 5:30 PM

MINUTES

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, relation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5446, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CALL TO ORDER

Mayor Heikkila called the Meeting to Order at 5:30 p.m.

PRESENT

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

ABSENT

None

AGENDA ITEMS

1. DISCUSSION REGARDING PROPOSED ORDINANCE O-2122-17 REGARDING COMMUNITY RESOURCE REFRIGERATORS.

Mr. Anthony Purinton, Assistant City Attorney, said in early 2021, certain community members began operating a refrigerator outside of a local storefront for the purposes of providing free food to anyone in need. After about six months of operation, City Staff received several complaints related to the refrigerator and upon investigation, determined the refrigerator was not compliant with multiple City Codes, such as

Section 10-204 prohibiting unattended appliances. Staff was asked to draft an ordinance that would amend the Code to allow these “community resource refrigerators” to operate. Staff was also asked to draft regulatory code provisions to ensure minimum compliance and safety standards.

Staff consulted with community stakeholders and relevant City enforcement officials prior to drafting the proposed language in an attempt to balance the need for minimum regulatory requirements to ensure safe operation and the ability for community members to engage in these volunteer efforts that provide low-barrier access to donated food. There is a definite tension between those two needs, as increased safety requirements and regulations increase the cost of establishing community refrigerators, which may make the endeavor cost-prohibitive.

Basic regulatory and safety guidelines proposed by adding Article 36 to Chapter 13, Licenses and Occupation. This Article provides the requirement for a City issued permit, the permitting procedure, and necessary safety and location requirements. The permit application would have five basic requirements that includes identification of applicant, property owner, and lessee; address of the proposed location; a site plan with the proposed refrigerator location clearly marked; a signed acknowledgment from the proposed property owner stating consent to the proposed use of the property; and a copy of the donation guidelines the applicant plans to post on the refrigerator.

Once the application is received the City Clerk and Department of Planning and Community Development (CDBG) will review the application to ensure the application meets the requirements and the proposed location does not extend into a right-of-way.

Additionally, the proposed language requires the community refrigerators be on private, non-residential zoned property. Allowing community refrigerators on public property is not advisable due to potential risk of liability. To ensure compliance with certain requirements of the fire code, outdoor outlet protectors are required and the language does not allow for the use of extension cords.

In regards to food safety, the proposed language simply requires that donation guidelines be implemented and physically posted on each community refrigerator for the purposes of promoting safe donations practices. This eliminates the need for City enforcement to monitor food donations that are deposited in each refrigerator. No specific food safety regulations are proposed since there are no State regulations that would apply to non-commercial food establishments. Self-regulation of these community refrigerators are expected, which is why there is also a requirement that a contact number be posted on the refrigerator in the event that an issue needs to be addressed. The City would still have the ability to address any public safety hazards that result from a failure of the expected self-regulation and enforcement.

Councilmember Foreman wondered if there should be some type of insurance requirements as well.

Councilmembers thanked Staff for the information and asked Staff to move forward with the ordinance.

Items submitted for the record

1. Staff Report dated September 02, 2021, from Anthony Purinton, Assistant City Attorney, to Business and Community Affairs Committee
2. Legislatively notated Ordinance O-2122-17

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ADJOURNMENT

The meeting was adjourned at 6:09 p.m.

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ATTEST:

City Clerk

Mayor