



CITY OF NORMAN, OK CITY COUNCIL STUDY SESSION MEETING

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

Tuesday, October 15, 2024 at 5:30 PM

MINUTES

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Executive Conference Room in the Municipal Building, on Tuesday, October 15, 2024 at 5:30 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.

CALL TO ORDER

Mayor Heikkila called the meeting to order at 5:30 p.m.

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 8 Scott Dixon

ABSENT

Councilmember Ward 7 Stephen Holman

AGENDA ITEMS

1. DISCUSSION REGARDING AMENDMENTS TO THE TREE ORDINANCE.

Ms. Ashlynn Wilkerson, Assistant City Attorney, shared some amendments to the Tree Ordinance with the general purpose of protecting Norman's urban forest by regulating planting, maintenance, and removal of trees in the City of Norman. In her presentation, she included the licensing/ permitting process required (from Parks and Recreation Department) before tree maintenance could be made.

Ms. Wilkerson said the abatement process would go through Code Compliance with the exception of Utility Companies. They are exempt from the City's Licensing and permitting process because their authority is through the Corporation Commission. A notification process is under way, to notify the City of any large tree work to be done.

In the section of her presentation on Tree Districts, Ms. Wilkerson detailed the specifics regarding trees on commercial property and historic trees.

Item 1, continued:

This ordinance only pertains to trees in the public right-of-way, not on private property. Ms. Wilkerson said Council will have it for First Reading as early as November 12, 2024.

2. DISCUSSION REGARDING A PROPOSED ORDINANCE AMENDING THE CITY COUNCIL MEETINGS TIMES AND PROCEDURES.

Mr. Rick Knighton, Interim City Attorney, introduced item two, Ordinance O-2425-7, which would change the regular City Council meeting time from 6:30 p.m. to 5:30 p.m. and modify the condition. Such conditions being:

- No new business discussed after 9:00 p.m. (except miscellaneous comments) unless majority approved by council.
- Any unfinished business shall be continued during the next regular meeting of Council or Special Meeting called for such purpose.
- Council shall meet in Special Session when so called by the Mayor or by five Councilmembers providing a written notice with the hour, location, and purpose of the meeting. No longer needed to be signed by the Mayor or five Councilmembers.

Councilmember Peacock agreed with the 9:00 p.m. cut off time if that did not include miscellaneous comments, he did not like removing the stipulation of the Mayor or five Councilmember's signatures needed for calling Special Sessions.

Councilmember Holman said that he would opt for a 6:00 p.m. start time and an 11:00 p.m. end time or just keep traditional times. He felt that previous changes has caused unintended consequences.

Councilmember Ball spoke out in agreement for the 5:30 p.m. start time with the condition of finishing their current discussion if the time was 9:00 p.m.

Councilmember Grant liked the 11:00 p.m. cut off time better, she said 9:00 p.m. would cause more extensions.

Councilmember Montoya would like to see no limit on the ability of the public to speak.

Mr. Darrel Pyle, City Manager, said this could be modified at any time if it was not working. He summarized Council consensus as: "no new items would be discussed after 9:00 p.m. unless Council voted to move forward."

3. DISCUSSION REGARDING INFRASTRUCTURE IMPROVEMENTS ALONG THE EAST-WEST INDIAN HILLS ROAD PORTION OF THE OKLAHOMA TURNPIKE AUTHORITY'S ACCESS PROGRAM.

Item 3, continued:

Mr. Darrel Pyle, City Manager, began the discussion by reviewing the Resolution that Council rejected that would authorize the Turnpike Authority to complete construction drawings through Norman including frontage roads, wetlands development and multi-modal pathways along both sides of the Access Oklahoma Plan through Norman. Actions were put in place by the Turnpike Authority; they revised their drawings through Norman, excluding the three aforementioned structures. Mr. Pyle said the topic of discussion today is to determine if Council is interested in advancing a resolution that states "In the event frontage roads, access points, multimodal pathways and linear wetlands are developed, the City of Norman would take over the maintenance of those infrastructure projects upon completion."

Mr. Scott Sturtz, Director of Public Works, said there is currently an \$18 million project to rebuild Indian Hills Road but this cost could be avoided if Council requests the Oklahoma Turnpike Authority (OTA) to rebuild at their expense. Frontage roads, if constructed, would go over Interstate 35 (I35) and the railroad tracks; without this construction, the frontage road would end West of the railroad tracks and come to an abrupt stop at an at grade crossing. Maintenance cost for frontage roads would be about 3 million for 15 - 20 years of service. 36th Avenue would be the only road that would be widened.

Councilmember Peacock asked what the cost would be for wetland maintenance. Mr. Pyle said about \$30 million dollars including ARPA funding from the state, or about \$800 per acre per year for a 40 - 80 acre parcel.

Councilmember Grant asked if OTA has built wetlands and wanted to know what measures would be taken to protect wildlife. Mr. Pyle said that OTA asked the City if they had resources to participate in the design and he confirmed that they had resources at the University of Oklahoma and community members that have managed stormwater projects. OTA would prefer not to design these type of projects inhouse. Mr. Pyle said there are parts of infrastructure that have wildlife tunnels underneath elevated structures to protect wildlife (for example on the way to Tulsa). Mr. Sturtz confirmed there were such tunnels under H.E. Bailey & Creek Turnpike. Councilmember Grant said that linear wetlands would cause changes to wildlife and would like more conversation on this subject. She would like there to be an understanding that experts will be used when developing wetlands. Mr. Pyle added the following statement could be added to finish the statement: "Through the use of or participation with Citizen's Advisory Committee or experts with the development and implementation of wetlands." Councilmember Montoya wanted to know who would be responsible for the \$300 million cost. Mr. Pyle said that OTA would construct the linear wetlands as part of their project, but if Council does not approve it, then the cost will be on Norman.

Via text, Councilmember Holman asked how runoff pollution would be addressed and why are frontage roads necessary in high density residential areas along the North side of Norman, given that it is not dense there. Mr. Pyle said there is already monitoring along the Little River both upstream and downstream and they can identify changes. Mr. Richard McKown, Chairman of the AIM Norman Steering Committee, said frontage roads allow for commercial development which allows for apartment communities to be developed. Mr. Pyle noted the difference in the East/ West alignment versus the North/ South alignment being that sewer and water could be provided for the East/ West

Item 3, continued:

alignment only. The projected number of housing units in the plan is 23,000. Council has already approved about 1,000 plats along this area. Mayor Heikkila said there has been a one and a half to two percent growth rate in the last few years.

Mr. Rick Knighton, City Attorney, said the City cannot sell public land unless the land use has been abandoned or it is unsuited for continued use or there is a special legislative authority. Legally, OTA does not need the City's consent to build a Turnpike. The City has the authority to lend, lease, or grant any land that is dedicated for public use that is necessary for a Turnpike (this is the special legislative authority). This does not apply to private property, nor prohibit OTA from using its power of eminent domain to acquire private property.

Councilmember Nash said there is no need for frontage roads for high density housing, and said linear wetlands would create a mosquito sanctuary which would then create a secondary problem of having to remove the linear wetlands. He asked what the cost would be to widen 60th Ave Northwest, 12th Northwest, 48th Avenue Northeast, 24th Avenue Northeast. Mr. Sturtz said, 36th is already being widened (bond packages), 24th Avenue would cost about \$8 to \$10 million per mile to widen, there is already a project to widen 24th Northeast, but nothing for 24th Northwest. 12th Avenue Northeast is already four lanes. 120th and 156th Avenues, are outside City Limits. Councilmember Nash said with access points, the roads would need to be widened. Mr. Pyle said high density residential developments would be placed on major transportation corridors, not at local residential streets. Mr. Sturtz said that there was currently a bond package in place to widen Indian Hills Road from I-35 to 48th Avenue Northwest. Mr. Pyle assured grant applications have been submitted, and work would not begin unless there is grant money. A resolution with the OTA is needed with requests of sewer and water lines, prior to construction of the turnpike in order to include those as part of the project costs. Councilmember Nash said housing added on Indian Hills Road would not be solely Norman residents. Mr. Pyle said there was no guarantee that only Norman residents would live there and emphasized that the resolution only says we are willing to agree to frontage roads. Councilmember Nash was skeptical as to why these access points needed to be placed here and said that he needed a contract before moving forward.

Councilmember Peacock asked if the resolution passed and the contract did not honor the resolution, could it be rescinded? Mr. Knighton said the resolution leads to a contract, and if OTA does not honor the resolution, a breach of contract can be filed. This resolution is needed before OTA can give us more detailed information. Because of court cases filed against the OTA, these plans are unfinished.

Councilmember Montoya asked if there was anything that could be done, as a governing body, to prevent construction of the East West Connector. Mr. Knighton said no, the state has granted OTA the power of eminent domain to acquire the necessary land. The Council is not in full agreement on advancing the resolution. While some members appear cautiously open to exploring a partnership with OTA if conditions are met (expert involvement, legal safeguards, clarity on costs), others have serious concerns about infrastructure impacts, environmental management, and the necessity of certain components like frontage roads. The consensus is best described as tentative, divided, and contingent upon further information and assurances.

ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

ATTEST:

City Clerk

Mayor