



CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

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

Tuesday, August 15, 2023 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 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

AGENDA ITEMS

Mayor Heikkila said Item 2 will be discussed first.

2. DISCUSSION REGARDING POSSIBLE SALE OF 718 N. PORTER AND OTHER HOMELESS SHELTER OPTIONS.

Mr. Anthony Purinton, Assistant City Attorney, said during the June 13th Budget meeting, Council allocated \$500,000 for renovation of 718 North Porter to be a temporary location for the Warming Shelter currently located on Gray Street.

Item 2, continued:

During the June 13th Special Session, Staff was directed to begin preparing 718 North Porter as an alternate location for the Warming Shelter.

The property needed to be rezoned to a Simple Planned Use Development (SPUD) in order to accommodate the proposed use of the property as a Warming Shelter as well as to ensure the inclusion of other uses allowing the property to remain marketable. Mr. Purinton said rezoning would take 90 days and be effective October 26th and construction would take approximately six to eight months with an estimated completion date of July 2024, for roughly \$1.75 to \$2 million in estimated construction costs.

On August 10, 2023, the Planning Commission voted against the rezoning and comments received from the public included concerns about impacts on surrounding property owners, concerns that the City did not have a plan to address negative impacts to surrounding property owners (or a plan for homelessness in general), and many felt the City should be prioritizing affordable housing. The protest percentage was 53.3%.

Ms. Kathryn Walker, City Attorney, said Cleveland County made an offer to purchase the building for \$500,000 plus payment of all closing costs (estimated to cost \$10,000 to \$25,000) and provided estimates for \$400,000 in needed repairs; however, additional repairs are needed. In 2020, the building appraised for \$1,240,000 and in 2023, appraised for \$1,100,000 (assuming \$411,000 in deferred maintenance).

Mr. Purinton said since construction of 718 North Porter would not be completed until 2024, the Warming Shelter's contract for 109 West Gray was placed on a month to month basis. He said Council expressed an intent to keep the West Gray location operational for longer than the winter months. He said 109 West Gray does not have a sprinkler system so the City is paying \$11,000 per month for a Fire Watch (trained personnel that continually monitor the building for fire hazards). He said if Council wants to continue to use 109 West Gray during the North Porter location renovation (which could be 12 to 18 months) Council may want to look at installing a sprinkler system for a cost of \$50,000 to \$75,000. He said installing a sprinkler system would likely increase maximum capacity based on the presence of the sprinklers and could potentially save the City \$132,000 to 200,000 in Fire Watch costs alone.

Optional upgrades to 109 West Gray (if a sprinkler system was installed) could include increasing capacity to 97 beds, sealing off back area of building to increase safety (would no longer need access), and improving airflow and sightlines for security. Upgrades would be limited to what is achievable before the 2023-2024 winter season and preliminary cost estimates for the upgrades would be \$200,000.

Mr. Purinton said Staff is requesting direction from Council on the offer from Cleveland County, obtaining quotes for a sprinkler system for 109 West Gray, and obtaining quotes for optional upgrades to 109 West Gray.

Item 2, continued:

Councilmember Schueler asked if 109 West Gray would need to be shut down while the sprinkler system is being installed, would there be a lapse in service? Mr. Purinton said if Council is interested in the upgrades, he would have to get that information as he does not have an answer at this time. He said upgrades would need to take place before winter. Mr. Darrel Pyle, City Manager, said the installation process will take longer in an occupied space, but they could work during the day when the Warming Shelter is unoccupied. He said installation should typically take one day so it is possible there would be no disruption in service.

Councilmember Grant asked if upgrades could be phased in to minimize disruption and Mr. Pyle said that would need to be discussed with the contractor chosen to install the sprinkler system. Councilmember Grant said she supports improvements to 109 West Gray.

Councilmember Peacock supports moving forward taking 718 North Porter off the table and using the those funds towards a permanent location. He asked what other improvements are needed at 109 West Gray and Mr. Pyle said window screening that provides security for the glass, which has been broken in the past.

Councilmember Schueler supports moving forward with conversations with Cleveland County regarding the purchase of 718 North Porter.

Councilmember Holman said he is good with moving forward with the Cleveland County offer of \$500,000 for 718 North Porter and considering options for a permanent location.

Mayor Heikkila said there seems to be consensus to discuss the sale of 718 North Porter and upgrade 109 West Gray.

Items submitted for the record

1. PowerPoint entitled, "718 N. Porter Shelter Relocation Project Update," presented by Anthony Purinton, Assistant City Attorney

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1. DISCUSSION REGARDING THE CITY'S SCHOOL RESOURCE OFFICER PROGRAM INCLUDING THE PUBLIC SAFETY SALES TAX.

Mr. Darrel Pyle, City Manager, said the City has historically deficitly spent the PSST and there has been recognition that the Public Safety Sales Tax (PSST) is not going cover all the personnel included in its vision.

Mr. Anthony Francisco, Director of Finance, highlighted scenarios for an SRO Program that includes Scenario 0 currently adopted in the PSST Fund budget with no capital outlay expenditures programmed for FYE 2026 so the Capital Fund/General Fund will have to take on those costs; Scenario One includes the addition of the new Fire Station No. Five as mandated in the PSST to include design and construction in FYE 2028 and FYE 2029. Assuming a three year construction financing note of \$5 million at 5% interest and 2% cost of issuance.

Item 1, continued:

Scenario Two includes the addition of four SROs as mandated in PSST II assuming \$134,000 per year per officer for salary and benefits; \$17,500 per officer for equipment (one time), and no vehicle is assumed. The salary and benefit category expenses are assume to grow 5% per year and NPS cost share revenue assumption is held constant (5% growth per year). Scenario Three includes the addition of 13 SROs as mandated in PSST II with seven SROs in FYE 2026 and six SROs in FYE 2027 (for a total of 17) with one time vehicle and equipment assumptions. NPS cost share revenue assumption is held constant.

Mr. Francisco said adding 17 SROs by FYE 2029 means the General Fund will have to supplement the PSST by \$3,914,048 in FYE 2030 and each year after that.

Councilmember Holman asked Mr. Francisco's opinion on the General Fund making that type of subsidy and Mr. Francisco said it is not sustainable so if continued, choices would have to be made regarding other City services in order to pay the ongoing subsidy of \$4 million per year. Councilmember Holman said if the PSST was increased to a full percent or quarter percent, what impact would that have and Mr. Francisco said a half percent would bring in \$12 million and a quarter percent would bring in \$6 million annually. Currently the PSST brings in \$12 million annually.

Chief Foster said NPD Staff estimates it would take approximately three years to recruit and train 17 new officers to allow existing officers to fill the SRO positions. The Cleveland County Sheriff's Office has indicated they can fill those positions more quickly and perhaps by the end of the upcoming school year. Although the Cleveland County Sheriff's Office could fill the positions more quickly, they do not have any funding available for additional hires. It has been proposed that the County amend the Memorandum of Understanding (MOU) with NPS to provide 17 additional SROs for placement at elementary schools and the City, County, and NPS enter into a separate MOU providing for City funding of the additional SRO positions. As the City is able to hire officers and move seasoned specially trained officers into SRO positions, it is proposed the County positions would be eliminated and the funding arrangement altered so the City could use its funds for its own SROs.

Councilmember Schueler asked how much NPS is paying Cleveland County for the SRO services and Ms. Walker said zero as the agreement is Cleveland County would provide ten SROs contingent upon the City's approval of a three way agreement where the City would be providing the funding for those positions. Councilmember Schueler asked how this relationship would function since Cleveland County Sheriff's Office uses different radio systems and Chief Foster said Cleveland County is trying to obtain radios that can be programmed to communicate with NPD. Councilmember Schueler asked if NPD would be the lead agency on investigations taking place in NPS and Chief Foster said County offices will handle immediate situations, such as breaking up a fight, but NPD would take the lead on any criminal or other type of investigation.

Item 1, continued:

Councilmember Schueler asked the cost of SRO services in FYE 2024 and Mr. Pyle said approximately \$1.2 million. Councilmember Schueler said the State's three year pilot program for school safety provides \$90,000 annually so will NPS pay the City that \$90,000 and Mr. Pyle said the intent is for the money to go into the same bucket for the SRO Program.

Councilmember Montoya asked when the Public Safety Study would be completed and Major Chad Vincent with NPD Community and Staff Service Bureau said six to nine months. Councilmember Montoya asked if NPS has been asked to increase the contributions of their share for SROs because according to their audited financial statement their revenues increased by over \$20 million. Mr. Pyle said 7% of their budget is discretionary and when the State funded teacher's raises, the State did not fund the increased cost of benefits that go with that salary increase and that is chipping away at the 7% discretionary budget.

Councilmember Schueler said she would like Dr. Nick Migliorino, NPS Superintendent, to meet with Council regarding NPS's budget situation and how ten SROs will be split between 17 schools. How are schools being prioritized for SROs?

Mr. Chris Amason, Cleveland County Sheriff, said the County has several deputies that have SRO training and expect several certified police officers by next summer. He said by September 8, 2023, he will have ten deputies in schools and the goal is to have all 17 officers in schools by the end of the year. Councilmember Schueler asked if all officers will have SRO training and Sheriff Amason said they are all certified police officers, but will not have SRO training. He said prioritization is organized by NPS and is based on which schools NPS wants an officer present immediately as well as the location of other schools nearby. NPS is looking at the proximity of an officer being able to respond quickly.

Mr. Gary Hopcus, NPD Captain/Community Outreach, said nothing will change as far as how NPD responds to incidents within the schools.

Councilmember Holman said he is okay with moving forward with hiring the four SROs the City is obligated to hire under the PSST. He would like to have a broader discussion with Cleveland County and NPS regarding cost share.

Mr. Pyle said a joint Study Session with Cleveland County Commissioners and NPS can be scheduled or Council can continue this discussion at the Council Retreat.

Councilmember Peacock said having all entities at the table is the next best step. He supports the program, but wants to discuss some of nuances to the program.

Councilmembers agreed a joint meeting with the County and NPS would be helpful in determining how this program will work for everyone.

Item 1, continued:

Items submitted for the record

1. Staff report dated August 15, 2023, from Kathryn Walker, City Attorney, to Darrel Pyle, City Manager
2. Ordinance O-1314-33
3. Contract K-1516-137
4. Amendment No. One to Contract K-1516-137
5. Norman Public Schools School Resource Officer Program Expansion Financial Pro Forma Scenarios

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3. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(4) TO DISCUSS POSSIBLE LITIGATION ASSOCIATED WITH TRAVIS KING VS. THE CITY OF NORMAN.

Motion made by Councilmember Ward 4 Grant, 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

The City Council adjourned into Executive Session at 7:03 p.m. Mr. Darrel Pyle, City Manager, Ms. Kathryn Walker, City Attorney, and Mr. Rick Knighton, Assistant City Attorney, were in attendance at the Executive Session.

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

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

The Executive Session was adjourned out of and the Special Session was reconvened at 8:14 p.m.

The possible litigation associated with Travis King vs. the City of Norman was discussed. No action was taken and no votes were cast.

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ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

ATTEST:

City Clerk

Mayor