



# CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

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

Tuesday, June 28, 2022 at 5:00 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, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.*

### CALL TO ORDER

#### PRESENT

Mayor Pro-Tem Stephen Holman  
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 8 Matthew Peacock

#### ABSENT

Mayor Breea Clark

### AGENDA ITEMS

1. DISCUSSION REGARDING SUBMITTING AN APPLICATION FOR A HAZARD MITIGATION GRANT TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR PHASE I IMPROVEMENTS PLANNED TO LOWER IMHOFF CREEK AND THE USE OF AMERICAN RESCUE PLAN ACT FUNDS FOR PHASE 2 OF THE PROJECT.

Mr. Shawn O'Leary, Director of Public Works, said Imhoff Creek begins at the Robinson Street Underpass and continues to the Canadian River. The creek travels approximately 4.3 miles through Norman collecting stormwater from older sections of Norman and runs through Andrews Park. Portions of the Works Program Association (WPA) originally constructed channels that now have multiple repetitive loss structures and one mile of eroded stream bank.

Item 1, continued:

Mr. O'Leary highlighted the Imhoff Creek timeline and said in 2009, the Stormwater Master Plan (SWMP) was completed; in 2015, Council approved a contract to perform hydraulics and hydrology for Imhoff Creek; in 2017, Lindsey Street Bridge was constructed and repairs to Imhoff Creek segment south of Lindsey Street was completed; in 2021, the Imhoff Road Bridge was closed due to damage (\$1.8 million); and Council approved a contract with Meshek and Associates for the design of Lower Imhoff Creek, Phase I.

The SWMP identified streams in Norman as well as significant problems and solutions along the streams. The SWMP identified five projects that include McGee Street and Lindsey Street flooding – completed; Indian Hills Road and Little River Mobile Home Park in floodplain purchased and removed – completed; reconstruction of Main Street Bridge over Brookhaven Creek – complete; Sinclair Drive over Brookhaven Creek – not completed; and IC-1 and IC-2 Imhoff Creek north of Highway 9 Bank Stabilization – not completed (IC = Impervious Cover).

Mr. Scott Sturtz, City Engineer, said the Imhoff Creek Channel Liner Repair Project was not identified in the SWMP and was considered stable in 2009. The channel was previously lined with articulated concrete block, which failed during the 2015 flooding. He said the Federal Emergency Management Agency (FEMA) provided disaster relief funds for the project and Council approved a contract with A-Tech Paving in the amount of \$451,245 on July 25, 2017, to complete repairs. He said benefits of the project include reduced erosion potential, protects adjacent properties, and is 90% federally funded.

Mr. Sturtz said the Imhoff Lower Creek Project, Phase I, from Imhoff Road Bridge downstream to State Highway 9 East consists of approximately 2,200 feet of bank stabilization at an estimated cost of \$3.8 million. Phase II from Imhoff Road Bridge North consists of 2,000 feet of bank stabilization at an estimated cost of \$4.4 million. The proposed project's design will minimize the amount of adjacent property necessary to complete the project and stream stabilization will be of done using natural product to maintain habitats, i.e., walls that allow vegetation coverage, stone drop structures/cross vanes, and native vegetation.

The current funding proposal includes \$6,402,000 from Hazard Mitigation Grant Program (HMGP) and American Rescue Plan Act (ARPA) funds in Phase I, \$1,772,000 from HMGP and Capital Improvement Plan (CIP) funds in Phase II for total costs of \$8,175,000. Phase I construction is anticipated to begin in December 2022 and completed in December 2023, while Phase II is anticipated to begin in September 2023 and completed in September 2024.

Councilmembers thanked Staff or their presentation and said they are very excited to hear the City is able to obtain funding for such a critically needed project.

Item 1, continued:

Items submitted for the record

1. PowerPoint presentation entitled, "Lower Imhoff Creek Stream Bank Rehabilitation Project," City Council Study Session dated June 28, 2022

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2. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, UNDER TITLE 25 § 307(B)(4) TO DISCUSS PENDING LITIGATION ASSOCIATED WITH CITY OF NORMAN V. RON ASHLEY, CLEVELAND COUNTY DISTRICT COURT CASE CJ-2021-337, IN THE AMOUNT OF \$210,000.

Motion to Adjourn and Convene. Moved by Councilmember Peacock. Seconded by Councilmember Hall. Ayes: Councilmembers Foreman, Hall, Holman, Lynn, Peacock, Schueler, Studley, and Tortorello. Nays: None.

The City Council convened into Executive Session at 5:36 p.m. Ms. Kathryn Walker, City Attorney; Mr. Darrel Pyle, City Manager; Ms. Beth Muckala, Assistant City Attorney; and Mr. Shawn O'Leary, Director of Public Works, were in attendance at the Executive Session.

Motion to Reconvene. Moved by Councilmember Foreman. Seconded by Councilmember Peacock. Ayes: Councilmembers Foreman, Hall, Holman, Lynn, Peacock, Schueler, Studley, and Tortorello. Nays: None.

The Mayor declared the motion carried and the Special Session was reconvened at 6:00 p.m.

The Mayor said pending litigation associated with City of Norman v. Ron Ashley, Cleveland County District Court Case CJ-2021-337, in the amount of \$210,000 was discussed in Executive Session. No action was taken and no votes were cast.

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## ADJOURNMENT

The meeting was adjourned at 6:02 p.m.

ATTEST:

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City Clerk

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Mayor