



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 10th 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