



# CITY OF NORMAN, OK CITY COUNCIL REGULAR MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Tuesday, June 28, 2022 at 6:30 PM

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## MINUTES

**Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and  
Norman Tax Increment Finance Authority**

*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

Mayor Pro Tem Holman called the Meeting to Order at 6:30 p.m.

### ROLL CALL

#### PRESENT

Mayor Pro Tem 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 Clark

### PLEDGE OF ALLEGIANCE

Mayor Pro Tem Holman led the Pledge of Allegiance

## COUNCIL ANNOUNCEMENTS

Fentanyl in Cleveland County. Councilmember Studley said Cleveland County is facing a crisis with the use of Fentanyl. She said the Norman Police Department has received reports of at least 20 overdoses in the college community and there have been several deaths in the homeless population. She wants people to be aware that pills, cocaine, and heroin are being laced with fentanyl and narcan is in short supply at the Police Department.

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City Council Retreat. Councilmember Schueler announced that the City Council Retreat is July 22 and 23 and during the retreat, Council will be prioritizing items for the upcoming Council year. She said Council will be asking constituents for ideas and she will be setting up a poll on her Ward Page on Facebook.

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Councilmember Hall's Last Meeting. Councilmember Schueler said tonight was Councilmember Hall's last City Council Meeting. She said Councilmember Hall had provided support to all of the new Councilmembers and helped them transition whether they were elected or appointed. She said when she was appointed as Councilmember for Ward 2, Councilmember Hall reached out to her as well as others and became a support system and guiding light to them. She said they worked together closely on issues such as tree canopies and stormwater to name a few and she wanted Councilmember Hall to know how grateful she was and how much she means to her personally. She will be missed.

Councilmember Lynn said being a Councilmember is not easy job and Councilmember Hall has put in a lot of work. He said he appreciates her.

Councilmember Hall said her promise to Ward 4 when she was sworn in on September 10, 2019, was to show up and to do the work. She said her intention was to guarantee that Ward 4 neighborhoods would never be without a voice to represent them when it mattered. She said in almost three years, she has not missed one City Council Meeting and is proud of that. She said she was assigned to two City Council Subcommittees, Oversight and Community Planning and Transportation, and decided early on to make a habit of attending the Finance Committee and Business and Community Affairs Committee meetings in order to be better prepared for the votes she would be making based on many decisions made at the Committee level. She said she is not on City Council to represent herself but to represent the diverse interests of her neighbors and make decisions that will benefit everyone in Norman. She has learned from her Ward 4 neighbors every day and has been energized by so many who choose to stay engaged, including quite a few who are here with us tonight. She said choosing our elected officials and holding them accountable is one of the most important responsibilities we all have as citizens. She said most elections today are partisan; however, the City Council is intended by our Charter to be non-partisan. She wholeheartedly believes it should stay that way. She said Council is an elected body of nine whose duty and responsibility is to represent not only their wards but to protect the health, safety, and welfare of our community. She said the temptation to define issues we face as a city in partisan terms or who wins and who loses is not productive and as we have seen recently, it can be destructive to the greater good of the City. Delivering clean water; protecting our watershed; providing reliable city services; promoting smart and sustainable growth; supporting local businesses and quality of life projects; reducing homelessness; and addressing affordable house are all issues that Council should be working on together to solve, not to tear each other apart.

Council Announcements, continued:

Councilmember Hall's Last Meeting, continued. She said none of us can be good policy makers without the support of our City staff. She thanked Darrel Pyle, City Manager; Brenda Hall, City Clerk; Kathryn Walker, City Attorney; Anthony Francisco, Director of Finance; Jane Hudson, Director of Planning and Community Development; Shawn O'Leary, Director of Public Works; Chris Mattingly, Director of Utilities; Jason Olsen, Director of Parks and Recreation; Dawn James, Director of Human Resources; Tim Powers, Director of Information Technology; Kevin Foster, Police Chief; Travis King, Fire Chief; and Ronda Guerrero, Municipal Court Clerk, for their leadership during challenging times, for their unwavering commitment to the residents of Norman and their ability to help each of the Councilmembers understand the complexities and nuances of the work that they do every day and how that might translate to what Council does as policy makers. She recognized the hundreds of city employees that keep the city running every day including those days that we have layered a pandemic or multiple severe weather events on top just to keep things interesting. Throughout it all, our city employees could be counted on to come through for us.

Councilmember Hall said in her short time on City Council, she has served with 17 different Councilmembers; each is unique in their own way and brings their life experiences with them. She said to each of the Councilmembers, who are not only her colleagues, but also treasured friends, she is grateful for the opportunity to work with them, learn from them, and always appreciates their willingness to look for common ground to solve the problems that they face as a City.

She gives her heartfelt thanks to the residents and voters of Ward 4 for entrusting her with the opportunity to represent them. She said this has been one of the hardest and most challenging things she has ever done, but in equal measure, one of the most rewarding. She said she has been lifted by their encouragement and support; she has learned from those who may see things from another point of view and motivated to make policy that leaves the City in a better place. She has been inspired by so people who have had the courage to use their voices. It has been her privilege of a lifetime to represent Ward 4, the heart and soul of Norman.

Councilmember Tortorello thanked Councilmember Hall for always taking his call and mentoring him through each process. He agreed that she always steps up when there is a new councilmember. She was kind enough to sit with him face to face before a meeting or talk with him on the phone about many things. He said this is the spirit and intent of how Council should be. He said it is truly a non-partisan environment and that is the only way we can represent everyone equally and together. He has seen her do that time and time again. He said he would really miss her and would continue to call her for advice.

Councilmember Foreman said she met Councilmember Hall when she was serving on the Historic District Commission because Lee Hall went to every meeting. She said Councilmember Hall is the pulse of Ward 4 and she always asked her for advice on all of the agenda items that involved Ward 4. She is sad that she is leaving.

Councilmember Peacock said Councilmember Hall had been a great friend, a trusted ally, a policy stalwart, and a tireless advocate for Ward 4. She sets the bar extremely high for the next councilmember for Ward 4. He thanked her for sharing the vision she has for a better Norman. He is very excited to see what life and her role as a public servant has for her.

Council Announcements, continued:

Councilmember Hall's Last Meeting, continued: Councilmember Holman said he has served with many Councilmembers and knows she has worked as hard or harder than anyone that he has worked with. He said there has been so much turnover on Council, it is hard to see someone leave that has done so much for Norman. He said he will never forget all she has done and looks forward to working with her.

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Councilmember-Elect Helen Grant. Councilmember Hall said Councilmember-Elect Helen Grant is already demonstrating that she also intends to show up and do the work. Since Helen was elected, they both have been committed to a smooth transition. She said it has been an enriching time for her to share all she knows and loves about Ward 4, the City, and the context of current issues the Council will continue to face. Councilmember-Elect Grant has many qualities and skills that will serve her well and that Ward 4 is in good hands going forward.

Councilmember Foreman said she knows Councilmember-Elect Grant will do a great job because she has Councilmember Hall to turn to when she has questions.

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## **CONSENT DOCKET**

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 1 through Item 24 be placed on the consent docket.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

**Item 1 through Item 24 were Placed on the Consent Docket.**

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## **Appointments**

1. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

CITIZENS OVERSIGHT COMMITTEE FOR TAX INCREMENT FINANCE DISTRICT NO. 2

TERM: 06-28-22 TO 04-10-24: KAIMEE KELLIS, WARD 4

ECONOMIC DEVELOPMENT ADVISORY BOARD

TERM: 08-13-21 TO 08-13-24: HOSSEIN FARZANAH, WARD 3

TERM: 08-13-21 TO 08-13-24: CHRIS PURCELL, WARD 2

GREENBELT COMMISSION

TERM: 06-28-22 TO 07-13-25: RICHARD BORNHAUSER, WARD 3

NORMAN REGIONAL HOSPITAL AUTHORITY

TERM: 06-28-22 TO 10-31-22: PAULA ROBERTS, WARD 6

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Brenda Hall, City Clerk

**Receipt of the Appointments was Acknowledged.**

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2. CONSIDERATION OF CONFIRMATION, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF THE PROPOSED APPOINTMENTS OF DREW NICHOLS AS PRESIDING JUDGE; GAIL BLAYLOCK AND BLAINE NICE AS ASSOCIATE JUDGES, AND DAVID POARCH AS ACTING JUDGE OF THE MUNICIPAL CRIMINAL COURT EACH FOR A TERM BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2024.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Item 2, continued:

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Ronda Guerrero, Municipal Court Clerk

**The Appointments were Confirmed.**

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### **Reports/Communications**

3. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MAY 31, 2022, AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Brenda Hall, City Clerk
2. Finance Director's Report as of May 31, 2022

**Receipt of the Finance Director's Investment Report as of May 31, 2022, was Acknowledged.**

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4. CONSIDERATION OF ACKNOWLEDGEMENT, APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MAY, 2022.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Item 4, continued:

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Stacey Parker, Executive Assistant
2. Monthly Departmental Reports for the month of May, 2022

**Receipt of the Monthly Departmental Reports for the month of May, 2022, was Acknowledged.**

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5. CONSIDERATION OF SUBMISSION, ACKNOWLEDGEMENT, APPROVAL, REJECTION, AMENDMENT, AND/OR REJECTION OF RECEIPT OF THE CITY MANAGER'S CONTRACT AND CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Brenda Hall, City Clerk
2. Memorandum dated April 14, 2022, from Nathan Madenwald, P.E., Utilities Engineer, through Chris Mattingly, P.E., Director of Utilities, to Darrel Pyle, City Manager
3. Change Order No. Five to Contract K-1920-73
4. Memorandum dated June 9, 2022, from Mike White, Fleet Program Manager, through Shawn O'Leary, Director of Public Works, to Darrel Pyle, City Manager
5. Change Order No. One to Contract K-1920-136
6. Change Order No. One to Contract K-2021-10
7. Memorandum dated June 7, 2022, from Kathryn Walker, City Attorney, to Darrel Pyle, City Manager
8. Contract K-2122-138
9. Memorandum dated April 26, 2022, from Michele Loudanback, Environmental and Sustainability Manager, through Chris Mattingly, Director of Utilities, to Darrel Pyle, City Manager
10. Contract K-2122-122 with Attachment A, Schedule; Attachment B, Scope of Services; and Attachment C, Compensation

**Receipt of the City Manager's Contract and Change Order Report was Acknowledged.**

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## **Final Plat**

6. CONSIDERATION FOR APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A FINAL PLAT FOR THE SUMMIT VALLEY ADDITION, SECTION 3, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ONE-HALF MILE NORTH OF HIGHWAY 9 AND ONE-HALF MILE EAST OF 24<sup>TH</sup> AVENUE SE.)

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Ken Danner, Subdivision Development Manager
2. Location map
3. Final plat
4. Preliminary plat for Summit Valley Addition, a Planned Unit Development
5. Development Committee Staff Report dated June 8, 2022, for Summit Valley Addition, Section 3, located one-half mile north of State Highway No. 9 and one-half mile east of 24th Avenue S.E.
6. Application for Development Committee Action dated April 29, 2022, from Summit Valley Development, L.L.C., for Summit Valley Addition, Section 3

**The Final Plat for Summit Valley Addition, Section 3, was Approved.**

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## **Contracts**

7. CONSIDERATION OF APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. THREE TO CONTRACT K-1920-133: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND CROSSLAND CONSTRUCTION COMPANY, INC., INCREASING THE GUARANTEED MAXIMUM PRICE BY \$492,185.38 FOR ADDITIONAL COSTS ASSOCIATED WITH THE ASBESTOS ABATEMENT FOR THE DEVELOPMENT CENTER PORTION OF THE MUNICIPAL COMPLEX RENOVATION PROJECT AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

**Acting as the City Council and Norman Municipal Authority**

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.



Item 7, continued:

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Brenda Hall, City Clerk
2. Amendment No. Three to Contract K-1920-133 with Exhibit A, Norman Development Center Shutdown Costs, Demobilization and Mobilization

**Amendment No. Three to Contract K-1920-133 and Budget Appropriation were Approved.**

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8. CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF REQUEST FOR AUTHORIZATION FOR PARTIAL RELEASE OF RETAINAGE, REDUCING RETAINAGE FROM 5% TO 2.5%, FOR PAYMENT PURSUANT TO CONTRACT K-2021-35 BETWEEN THE CITY OF NORMAN AND FLINTCO, L.L.C., RELATING TO THE NORTH BASE COMPLEX PHASE 1 PROJECT.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Paul D'Andrea, Capital Projects Engineer
2. Project location map
3. North Base Maintenance Complex: Punch and Warranty Log
4. North Base Maintenance Complex, Punch and Warranty Images
5. Contract K-2021-35
6. Maintenance Bond MB-2021-17
7. Statutory Bond B-2021-31
8. Performance Bond B-2021-30

**Partial Release of Retainage reducing Retainage from 5% to 2.5% for Payment Pursuant to Contract K-2021-35 with Flintco, L.L.C., Relating to the North Base Complex Phase 1, was Approved.**

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9. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FOUR TO CONTRACT K-2021-97: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND GE JOHNSON CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$2,653,243 FOR A REVISED CONTRACT AMOUNT OF \$41,677,428 FOR CONSTRUCTION MANAGEMENT AT-RISK SERVICES FOR THE CONSTRUCTION OF THE YOUNG FAMILY ATHLETIC CENTER.

**Acting as the Norman Municipal Authority**

Motion made by Trustee Ward 2 Schueler, Seconded by Trustee Ward 4 Hall.

Voting Yea: Vice-Chairman Holman, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Jason Olsen, Director of Parks and Recreation
2. Amendment No. Four to Contract K-2021-97

**Amendment No. Four to Contract K-2021-97 was Approved.**

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10. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FIVE TO CONTRACT K-2021-115: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CROSSLAND CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$423,737 FOR A REVISED CONTRACT AMOUNT OF \$11,582,248 FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE SENIOR WELLNESS CENTER AND BUDGET APPROPRIATION AS OUTLINED IN THE STAFF REPORT.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Item 10, continued:

Items submitted for the record

1. Staff Report dated June 28, 2022, from Jason Olsen, Director of Parks and Recreation
2. Amendment No. Five to Contract K-2021-115 with Exhibit A, Letter dated June 3, 2022, from Justin Lockwood, Director of Preconstruction, Crossland Construction Company, to Jason Olsen, Director of Parks and Recreation; Exhibit B, List of Specifications and List of Drawings; Exhibit C, List of Allowances; Exhibit D, Assumptions; Exhibit E, GMP Summary and Bid Tab; Exhibit F, Substantial Completion; and Exhibit G, Acceptance Period

**Amendment No. Five to Contract K-2021-115 and Budget Appropriation were Approved.**

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11. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONTRACT K-2122-127: A REVOCABLE RIGHT-OF-WAY LICENSE AND AGREEMENT BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CUSTARD FACTORY, INC., IN THE AMOUNT OF \$100.00 PER YEAR ALLOWING PLACEMENT OF STRING LIGHTS AND POLES WITHIN THE PUBLIC RIGHT-OF-WAY.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Elisabeth Muckala, Assistant City Attorney
2. Contract K-2122-127 with Exhibit A, Site Plan, and Exhibit B, Letter of request dated May 16, 2022, from Rusty Rasmussen, Owner, Rusty's Custard Factory, to the City of Norman with Attachment A, Schematic Drawing, and Attachment B, Product Specifications

**Contract K-2122-127 was Approved.**

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12. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-131: AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY (COTPA) D/B/A EMBARK, TO PROVIDE TRANSIT SERVICES FOR THE CITY OF NORMAN FROM JULY 1, 2022, THROUGH JUNE 30, 2023, IN AN AMOUNT NOT TO EXCEED \$3,560,195.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Item 12, continued:

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Taylor Johnson, Transit and Parking Program Manager
2. Contract K-2122-131 with Exhibit A, Scope of Services; Exhibit B, Norman Transit Service Profile; Exhibit C, Norman Transit Routes; Exhibit D, EMBARK Responsibilities; Exhibit E, Scope of Vehicle Cleaning, Washing, and Fueling Services; Exhibit F, Norman Responsibilities; Exhibit G, Compensation; Exhibit H, FTA Terms and Conditions; Exhibit I, Norman Transit Fleet Description and Inventory; Exhibit J, EMBARK Plus Norman ADA Guide; Exhibit K, EMBARK Rider Conduct and Exclusion Policy; Exhibit L, EMBARK Advertising Policy; Exhibit M, Sample Invoice; and Exhibit N, Sample EMBARK Norman Performance Summary Report

**Contract K-2122-131 was Approved.**

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13. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-140: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND STANLEY R. SENDELBACH IN THE AMOUNT OF \$450 PER YEAR BY THE TENANT FOR AGRICULTURAL LEASE OF THE PROPERTY AT 4020 EAST TECUMSEH ROAD.

**Acting as the Norman Utilities Authority**

Motion made by Trustee Ward 2 Schueler, Seconded by Trustee Ward 4 Hall.

Voting Yea: Vice-Chairman Holman, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Nathan Madenwald, Utilities Engineer
2. Contract K-2122-140 with Attachment A, Tenant Information Sheet

**Contract K-2122-140 was Approved.**

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14. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONTRACT K-2122-141: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PINNACLE VIEW, L.L.C., FOR THE LEASE OF PROPERTY LOCATED AT 307 WEST GRAY STREET FOR A PERIOD OF THREE YEARS SUBJECT TO ANNUAL APPROPRIATION OF FUNDS.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Kathryn Walker, City Attorney
2. Contract K-2122-141

**Contract K-2122-141 was Approved.**

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15. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONTRACT K-2122-142: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN ECONOMIC DEVELOPMENT COALITION FOR THE USE OF ONE MILLION DOLLARS (\$1,000,000) IN AMERICAN RESCUE PLAN ACT FUNDS FOR QUALIFYING ECONOMIC DEVELOPMENT EXPENDITURES.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Kathryn Walker, City Attorney
2. Contract K-2122-142

**Contract K-2122-142 was Approved.**

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16. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$1,000,000 IN CITY OF NORMAN AMERICAN RESCUE PLAN ACT (ARPA) ENTITLEMENT FUNDS FROM THE SPECIAL GRANT FUND BALANCE TO BE USED BY THE NORMAN ECONOMIC DEVELOPMENT COALITION FOR THE IMPLEMENTATION OF BUSINESS INCUBATOR PROGRAMS.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Anthony Francisco, Director of Finance
2. Resolution R-2122-135

**Resolution R-2122-135 was Adopted.**

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### **Deed**

17. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT OR POSTPONEMENT OF CONVEYANCE OF TITLE BY QUIT CLAIM DEED FOR PROPERTY LOCATED AT 531 EAST SYMMES STREET TO THE NORMAN AFFORDABLE HOUSING CORPORATION FOR USE AS RENTAL HOUSE FOR HOUSEHOLDS AT OR BELOW THE 80% MEDIAN FAMILY INCOME THRESHOLD.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Lisa Krieg, CDBG/Grants Manager
2. Quit Claim Deed for 531 East Symmes Street

**Conveyance of Title by Quit Claim Deed was Approved.**

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## **Resolutions**

18. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-134: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING MESHEK AND ASSOCIATES, L.L.C., AS AN AGENT FOR THE CITY OF NORMAN, TO SUBMIT A HAZARD MITIGATION GRANT PROGRAM GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR PHASE I IMPROVEMENTS PLANNED FOR LOWER IMHOFF CREEK.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Jason Murphy, Stormwater Program Manager
2. Resolution R-2122-134
3. Lower Imhoff Creek Hydraulic and Hydrologic Study Project dated January 9, 2017, prepared for the City of Norman, Oklahoma, by Meshek and Associates, P.L.C., and Amec Foster Wheeler
4. FEMA DR-4438 Hazard Mitigation Grant Program Match Commitment Letter dated June 28, 2022, from Darrel Pyle, City Manager, to Mr. Mark Gower, Director, Oklahoma Department of Emergency Management and Homeland Security
5. Application for Federal Assistance SF-424 - Mandatory

**Resolution R-2122-134 was Adopted.**

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19. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-138: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$3,000,000 IN CITY OF NORMAN AMERICAN RESCUE PLAN ACT (ARPA) ENTITLEMENT FUNDS FROM THE SPECIAL GRANT FUND BALANCE TO BE USED FOR FUNDING THE LOWER IMHOFF CREEK BANK STABILIZATION PROJECT.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock



Item 19, continued:

Items submitted for the record

1. Staff Report dated June 28, 2022, from Jason Murphy, Stormwater Program Manager
2. Resolution R-2122-138
3. Lower Imhoff Phase Map
4. Aerial map of Lower Imhoff Creek
5. Photograph of Bank Erosion with Tree Collapse in Lower Imhoff Creek
6. Application for Federal Assistance SF-424 - Mandatory

**Resolution R-2122-134 was Adopted.**

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20. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING PROCEDURES ALLOWING BUILDING PERMIT FEES CHARGED PURSUANT TO SECTION 5-105(1)(D) OF THE NORMAN CITY CODE TO BE ADJUSTED AND SATISFIED AS AN INCENTIVE FOR RESIDENTIAL HOMES ACHIEVING CERTAIN HOME ENERGY RATING SYSTEM (HERS) ENERGY RATING INDEX (ERI) SCORES, AND EXTENSION OF THE PILOT PROGRAM ESTABLISHED IN RESOLUTION R-1718-117 THROUGH JUNE 30, 2024.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Greg Clark, Development Services Manager
2. Resolution R-2122-137
3. PowerPoint Presentation entitled "Business and Community Affairs Committee, Home energy Rating System (HERS) Energy Rating Index (ERI) Pilot Program dated May 5, 2022

**Resolution R-2122-137 was Adopted.**

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21. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF RESOLUTION R-2122-139: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SETTING FORTH A PROCESS FOR COUNCIL TO FOLLOW IN THE EVENT OF A VACANCY ON CITY COUNCIL.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Kathryn Walker, City Attorney
2. Resolution R-2122-139
3. City of Norman City Council Application

**Resolution R-2122-139 was Adopted.**

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22. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-136: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY (THE "AUTHORITY") AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE CLEAN WATER STATE REVOLVING FUND PROGRAM, WITH THE LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING ADVANCED WATER METERING IMPROVEMENTS FOR THE CITY OF NORMAN, OKLAHOMA; APPROVING A PROFESSIONAL SERVICES AGREEMENT; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

**Acting as the Norman Utilities Authority**

Motion made by Trustee Ward 2 Schueler, Seconded by Trustee Ward 4 Hall.

Voting Yea: Vice-Chairman Holman, Trustee Ward 1 Studley, Trustee Ward 2 Schueler, Trustee Ward 3 Lynn, Trustee Ward 4 Hall, Trustee Ward 5 Tortorello, Trustee Ward 6 Foreman, Trustee Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Anthony Francisco, Director of Finance
2. Resolution R-2122-136
3. Certificate of Authority Action
4. Bureau of Reclamation 2022 WaterSMART Water and Energy Efficiency Grants

**Resolution R-2122-136 was Adopted.**

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## **Settlement**

23. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF CITY OF NORMAN V. RON ASHLEY, CLEVELAND COUNTY DISTRICT COURT CASE CJ-2021-337, IN THE AMOUNT OF \$210,000.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Elisabeth Muckala, Assistant City Attorney

**The City Attorney's Recommendation that City Council Approve a Settlement in Cleveland County District Court Case CJ-2021-337, City of Norman vs. Ron Ashley, was Approved.**

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## **Postponement**

24. **CONSIDERATION OF POSTPONEMENT OF ORDINANCE O-2122-48 UNTIL AUGUST 9, 2022:** AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GRANTING TO THE OKLAHOMA GAS AND ELECTRIC COMPANY, AN OKLAHOMA CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO PRODUCE, TRANSMIT AND DISTRIBUTE ELECTRICITY WITHIN THE CITY LIMITS AND TO SELL ELECTRICITY THEREIN FOR ALL PURPOSES FOR WHICH IT MAY BE USED, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, ITS INHABITANTS AND THE PUBLIC GENERALLY, AND THE RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF POLES, WIRES, CONDUITS AND OTHER FACILITIES AND EQUIPMENT IN, UPON, ACROSS, UNDER AND OVER THE STREETS, ALLEYS, PUBLIC GROUNDS AND OTHER PLACES IN THE CITY FOR SUCH PURPOSES FOR A PERIOD OF TWENTY-FIVE (25) YEARS BEGINNING ON JANUARY 11, 2023, AND ENDING ON JANUARY 10, 2048, SUBJECT TO THE APPROVAL OF THE VOTERS AND ACCEPTANCE OF THIS ORDINANCE; PROVIDING COMPENSATION TO THE CITY; AND CALLING A SPECIAL ELECTION ON JANUARY 10, 2023.

Motion made by Councilmember Ward 2 Schueler, Seconded by Councilmember Ward 4 Hall.

Item 24, continued:

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 14, 2022, from Kathryn Walker, City Attorney
2. Ordinance O-2122-48
3. Special Election Proclamation and Notice of Election

**Ordinance O-2122-48 was Postponed Until August 9, 2022.**

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## **NON-CONSENT ITEMS**

25. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2122-111: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FOUR (4), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, FROM THE MIXED USE DESIGNATION AND PLACE THE SAME IN THE LOW DENSITY RESIDENTIAL DESIGNATION. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 28, 2022, from Jane Hudson, Director of Planning and Community Development
2. Resolution R-2122-111
3. Planning Commission Staff Report dated May 12, 2022
4. Location map
5. City of Norman Predevelopment Summary PD22-06 dated March 24, 2022, for Lennar Homes of Oklahoma, L.L.C., for property located north of East Imhoff Road and west of Oakhurst Avenue
6. Pertinent excerpts from Planning Commission minutes of May 12, 2022

Item 25, continued:

Participants in discussion

1. Mr. Sean Rieger, The Rieger Law Group, P.L.L.C., 136 Thompson Drive, attorney representing the applicant
2. Mr. Tyler Muzny, Johnson and Associates, Inc., 1 East Sheridan Avenue, Suite 200, Oklahoma City, engineer representing the applicant
3. Mr. Shawn O'Leary, Director of Public Works

**Resolution R-2122-111 was Adopted.**

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26. CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-42 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FOUR (4), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND PLACE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHWEST CORNER OF IMHOFF ROAD AND OAKHURST AVENUE)

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

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 14, 2022, from Jane Hudson, Director of Planning and Community Development
2. Ordinance O-2122-42
3. Application for Planned Unit Development submitted April 4, 2022, and revised May 6, 2022, for The Villages, a Planned Unit Development, prepared by Rieger Law Group, P.L.L.C., with Exhibit A, Legal Description of the Property; Exhibit B, Site Development Plan; and Exhibit C, Allowable Uses; Exhibit D, Open Space Exhibit; and Exhibit E, Preliminary Plat
4. Location map
5. City of Norman Predevelopment Summary PD22-06 dated March 24, 2022, from Lennar Homes of Oklahoma, L.L.C., for property located north of East Imhoff Road and west of Oakhurst Avenue
6. Planning Commission Staff Report dated May 12, 2022
7. Pertinent excerpts from Planning Commission minutes of May 12, 2022
8. Protest Map containing 0.52% Protest within Notification Area
9. Letter of protest filed May 9, 2022, from Kristen Gifford To Whom It May Concern

**Ordinance O-2122-42 was Adopted Upon Second Reading Section by Section.**

Item 26, continued:

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 4 Hall.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

**Ordinance O-2122-42 was Adopted Upon Final Reading as a Whole.**

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**27. CONSIDERATION FOR APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF A PRELIMINARY PLAT FOR THE VILLAGES ADDITION, A PLANNED UNIT DEVELOPMENT. (NORTHWEST CORNER OF EAST IMHOFF ROAD AND OAKHURST AVENUE.)**

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

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman, Councilmember Ward 8 Peacock

**Items submitted for the record**

1. Staff Report dated June 14, 2022, from Ken Danner, Subdivision Development Manager
2. Location map
3. Preliminary Plat
4. Planning Commission Staff Report dated May 12, 2022
5. Request for Variance dated May 4, 2022, from Timothy W. Johnson, P.E., Johnson & Associates, to City of Norman Engineering Services Division
6. City of Norman Predevelopment Summary PD22-06 dated March 24, 2022, from Lennar Homes of Oklahoma, L.L.C., for property located north of East Imhoff Road and west of Oakhurst Avenue
7. City of Norman Development Review Form, Transportation Impacts, dated May 3, 2022, conducted by Jami L. Short, P.E.
8. Letter dated April 4, 2022,
9. Letter of Authorization for Submittal to the City dated March 30, 2022, from Curtis L. Rice, Manager, Villages at Oakhurst Land, L.L.C., to City of Norman Planning and Community Development
10. Special Warranty Deed granted to Village at Oakhurst Land, L.L.C.
11. Site Development Plan
12. Pertinent excerpts from Planning Commission minutes of May 12, 2022

**The Preliminary Plat for The Villages Addition, a Planned Unit Development, was Approved.**

\* \* \* \* \*

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Councilmember Peacock asked that he be allowed to abstain from voting on Item 28 due to a conflict of interest.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 5 Tortorello.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman

Abstain: Councilmember Ward 8 Peacock

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28. CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-43 UPON SECOND AND FINAL READING. AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A CHURCH, TEMPLE OR OTHER PLACE OF WORSHIP IN THE R-3, MULTI-FAMILY DWELLING DISTRICT FOR LOT SIXTEEN (16), IN BLOCK ONE (1), OF LINCOLN ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (494 ELM AVENUE)

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman

Abstain: Councilmember Ward 8 Peacock

Items submitted for the record

1. Staff Report dated June 14, 2022, from Jane Hudson, Director of Planning and Community Development
2. Ordinance O-2122-43
3. Location map
4. Site Plan
5. City of Norman Predevelopment Summary PD22-08 dated April 28, 2022, from Hillel Foundation for property located at 494 Elm Avenue
6. Planning Commission Staff Report dated May 12, 2022
7. Pertinent excerpts from Planning Commission minutes of May 12, 2022

Participants in discussion

1. Mr. Matt Peacock, Peacock Design, 218 East Main Street, architect representing the applicant

## **Ordinance O-2122-43 was Adopted Upon Second Reading Section by Section**



Item 28, continued:

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2 Schueler.

Voting Yea: Mayor Pro Tem Holman, Councilmember Ward 1 Studley, Councilmember Ward 2 Schueler, Councilmember Ward 3 Lynn, Councilmember Ward 4 Hall, Councilmember Ward 5 Tortorello, Councilmember Ward 6 Foreman

Abstain: Councilmember Ward 8 Peacock

## **Ordinance O-2122-43 was Adopted Upon Final Reading as a Whole**

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### **MISCELLANEOUS COMMENTS**

Care-A-Vans/Warming Shelter. Mr. Stephen Lett, Ward 4, said he is a volunteer for Norman Care-A-Vans. He said he learned this afternoon that the City decided not to enter into negotiations with Norman Care-A-Vans or any other service provider, to provide on-demand transit to shelters and homelessness program locations. He said, in response to the City's Request for Proposal (RFP), Norman Care-A-Vans developed a robust proposal to offer services that met all requirements in the RFP. He said the reasons offered to them by the City for not accepting the RFP were the organization current non-profit status, the long lead-time to require the necessary vehicles, 12 to 15 months; duplication of services with both current and future transit social services initiatives; and the submitted proposal being overly broad for further requested service. He said he has done research to various vendors to receive the vehicles sooner and there is no duplication of services. He said the proposal is broad because the City asked that it be broad. He expressed his disappointment and frustration.

Ms. Jessica Ester, Ward 4, said that Norman Care-A-Vans needs and deserves funding. She said there are too many gaps in the resources and it is important for the homeless to have access to Care-A-Vans.

Mr. Alan Hatcher, Ward 8, said he is a driver and founder of Norman Care-A-Vans and he received the letter rejecting their proposal and wondered if there was any likelihood the City might do something to help the homeless instead of shutting off resources. He said his service would support the business owners by providing transportation to the homeless population. He said the police should be providing transportation for these people since the Police Department has funding and Care-A-Vans does not. He expressed frustration because there is no one else to provide transportation for the homeless population except Care-A-Vans.

Mr. Steve Ellis, Ward 4, said he is a member of the Norman Care-A-Vans Board and thanked City staff for the attention to Care-A-Vans' response to the City's RFP. He said Care-A-Vans offers something the City has asked for and is disappointed about this missed opportunity. He hopes City Council will reflect on this and do what they can to allow Care-A-Vans to continue this service. He said the City's main issue with Care-A-Vans proposal was that Care-A-Vans does not have yet have a non-profit status. He said the City Attorney's Office realized that the non-profit status cannot be obtained without some sort of funding source. He said the letter from the City was not a "No" but more of a "Not Now" letter. He said Care-A-Vans does more than provide transportation; the drivers perform a wide range of social work such as matching people with services and even though it may exceed the City's request, it is a crucial thing for the community. He said even the Norman Police

Miscellaneous Comments, continued:

Care-A-Vans/Warming Shelter, continued.

Department uses Care-A-Vans' services quite a bit. He said Care-A-Vans serves as an anchor in the community and right now, it is the only thing keeping Norman's homeless program in place.

Mr. James Cornelison, Ward 4, said he has been homeless for over ten years and now the Warming Shelter in Norman has closed. He voiced his concerns about the homeless people who have health problems.

Ms. Michelle Franze, Ward 4, said she is a registered nurse and currently homeless. She expressed concern about the homeless people in this city who have no way to get to their doctor's appointments.

Mr. Jerry Schmit, Ward 4, said he has been homeless for five years and he has seizures. He said he used to stay at the Warming Shelter and now that it is closed, there is nowhere to stay. He has COPD and carries the oxygen tank with him because he has no home. He said Care-A-Vans gives him a ride back and forth every day.

Mr. Jade Cleshire, Ward 4, said he has been homeless for three months and has witnessed a lot of trauma and pain out on the streets. He is a survivor of domestic violence and suffers from a lot of mental illness. He said he has not been able to work for a couple of years. He said he had been living in an apartment in Norman; but Section 8 denied funding last year and left him without a home. He tried staying with family but that had been an unsafe situation so he had to move out. He said some organizations in Norman have provided help, which is very much appreciated. He said Care-A-Vans has been a lifesaver in so many ways by providing meals, moral support, and financial support and because it was safe.

Ms. Jae Swanston, Ward 8, said her family raised her to care about a person, not for their abilities but who they are, and to give them a chance to share their story and have their needs met. She said she works as a Case Manager in the Community and tries every day to give people resources and Care-A-Vans and the Warming Shelter have helped. She said deleting these resources show her that Norman does not care about people for who they are and only care about people that can help them profit.

Mr. Darrel Pyle, City Manager, said after the City was notified by the property owner that the lease for the Warming Shelter would not be renewed, an RFP was prepared in search of the assistance in the establishment of Norman's next warming shelter. He said that request will close on Friday, June 30. He said Staff would be reporting to City Council with responses from some of our Continuum of Care members who might be able to provide those services.

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Thanks to Councilmember Hall and Mayor Clark. Mr. Dan Munson, Ward 6, thanked Councilmember Hall and Mayor Clark for their service to the City. He said they had tough terms.

Ms. Susan Sparks Smith, Ward 1, thanked Councilmember Hall for answering her email even though she did not live in Ward 4.

Mr. Scott Lambert, Ward 4, thanked Councilmember Hall for listening.

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Miscellaneous Comments, continued:

Soccer Facility. Mr. Dan Munson, Ward 6, said he recently went to Olathe, Kansas, and stayed at a hotel across the street from the Soccer Complex. He said the facility had nine fields and is approximately three years old. He said it was a hot day and there was tremendous heat. He said he looked at different areas at the complex that could be covered to provide shade to attendees. He drove to another soccer facility that also had no shade. He said the new NORMAN FORWARD Soccer Facility will have 22 fields and having shade for the spectators will attract more teams to come to the City to participate. He has ideas on how the City can do this without paying for it.

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Apology to Councilmember Lynn. Ms. Susan Sparks Smith, Ward 1, apologized to Councilmember for saying bad things about him on Facebook.

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## **ADJOURNMENT**

**The Meeting Adjourned at 7:52 p.m.**

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City Clerk

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Mayor