

Stormwater vote set, for now

Survey:

CITY

The city council moved a step closer to securing the next stormwater utility vote Tuesday but remains undecided on the rate structure.

The council, on first reading, approved placing the measure on the April 2 ballot Tuesday, but to address any possible changes to the proposed residential tiered rate structure — a stormwater citizens committee option of \$3, \$6 and \$9 based on property size — and a possible rate consideration for agriculturally zoned residents, the council will have to act quickly. It has set a special meeting for 5:30 p.m. Jan. 17.

The vote followed a council conference, where it received the results from the latest online survey, the fifth stormwater survey since March.

Conducted by city contracted firm Hahn Public, the latest survey garnered 848 responses.

Over 70 percent of those surveyed agreed that the issue was of critical importance, but just 29 percent of those surveyed said they would support both the

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Mary Rupp, interim city manager



Mack Burke

Transcript News Editor @MackBurke4

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stormwater bond and the utility together, while 12 percent said they would support only the stormwater bond and 16 percent said they would support only the stormwater utility fee.

Just over 43 percent said they would support neither.

When asked strictly about support for the proposed \$3-\$6-\$9 rate structured stormwater utility, 46 percent said they would not support it, 29 percent said they would and 24 percent said they were unsure.

The online survey, which closed Sunday, initially drew criticism because it did not include an option to answer “neither” regarding support for the bond and utility.

City Chief Communication Officer Annahlyse Meyer said the issue was quickly addressed and none of the responses prior to the correction were counted in the survey results.

“That was an oversight between us and the contractor,” she said. “It was corrected almost immediately and we won’t be looking at the entries that were input without the option to say ‘no.’ We still have plenty of responses to gain statistical significance. For a city of Norman’s size, you would only need 383 responses to reach statistical significance.”

Meyer said all wards were represented in the survey, with Wards 4, 5 and 6 responsible for the most responses.

Those responses may have helped clarify the issue some, but some council members are nervous about the fate of the long-sought utility, which would pay for stormwater maintenance to address water quality and flooding issues.

Interim City Manager Mary Rupp said another survey might not be the answer.

She said she thinks the community is survey weary and there isn’t much time. Also, the survey data the city has is statistically significant and valuable.

“To do another survey now, I just don’t think we’re going to get what you’re looking for,” she said. “I know we want all the information we can possibly have ... but at some point we just need to make a decision, whatever it might be. You’re never going to have that 100 percent comfort level that this is going to pass.”

In a Jan. 8 letter to the city, Hahn Public recommended that the city place the stormwater bond on the April 2 ballot while engaging in a united advocacy campaign with community members and groups, such as the Norman Chamber of Commerce, in support of both the transportation and stormwater bond initiatives.

It concluded that the utility could be successful in the future but more time is needed to build community consensus.

With the council still unsure about rate structures and the deadline to get the stormwater suite on the ballot being the Jan. 22 meeting, Mayor Lynne Miller said there’s reason for concern. The latest poll numbers do little to calm those concerns, but she said it’s time to move forward with the current proposal.

“A lot of people have told me they just want us to make up our mind,” she said. “I just want something that our residents feel is reasonable that will help us do a better job so we have better water quality and we don’t have flooding.

“We desperately need that and I want it to be something the public can accept. We’ve done a number of different studies and meetings, and the only structure people have heard of is 3-6-9. If you do start changing, it you will get a lot of pushback.”

Ward 3 council member Robert Castleberry said he doesn’t believe the utility will pass for several reasons, and he doesn’t think the city will be able to address those issues in the next two weeks or even by April.

“I would ask that if we do put this in April and it fails, as a council, what are your thoughts?” he said.

Miller said failing to address the stormwater issue will mean major budget problems in the very near future, even when the UNP TIF is ended and with a 3.2 percent year-to-date increase in sales tax returns.

“The council has been kicking the can down the road for so many years,” she said. “If we don’t do it, then I think it’s almost as bad as if you do it and it fails, because you’re not going to be able to do it for another year and a half or two years.”

Ward 7 council member Stephen Tyler Holman said if the city fails to secure a stormwater utility fee, the state may intervene.

“And they may intervene with TMDL and start fining us \$10,000 a day,” Miller said.

Council members Joe Carter and Kate Bierman were absent from Tuesday’s meetings. Last week, Bierman told The Transcript that the latest survey is just one factor to consider and she also has concerns, both about the survey and the current rate structures. She wasn’t alone in suggesting that the tiers need to be adjusted to be more equitable.

Transportation bond vote tentatively set: In addition to the stormwater bond and utility, the city council also set April 2 as the date for the city transportation bond election on first reading. The \$72 million bond package would be bolstered by up to \$96 million in federal funding.

If the present proposal is passed, it would be used for the following projects: Porter Avenue and Acres Street — \$3,675,000

Jenkins Avenue Imhoff Road to Lindsey Street — \$9,601,000 Porter Avenue streetscape — \$2,471,000

James Garner Avenue special corridor, Acres Street to Duffy Street — \$4,951,000 Gray Street two-way conversion — \$4,816,000

Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE — \$5,604,000 Constitution Street, Jenkins Avenue to Classen Boulevard — \$2,676,000 Traffic Management Center (TMC) — \$366,000

36th Avenue NW, North of Indian Hills Road to Moore city limit — \$2,551,000 36th Avenue SE, Cedar Lane Road to State Highway 9 — \$3,033,000 24th Avenue NE, Rock Creek Road to Tecumseh Road — \$3,690,000 48th Avenue NW, Phase 1, Robinson Street to Rock Creek Road — \$4,210,000 Lindsey Street special corridor, Elm Avenue to Jenkins Avenue — \$2,666,000 Indian Hills Road, 48th Avenue NW to Interstate 35 — \$8,703,000 Indian Hills Road and I-35 interchange match funds — \$2,009,000 48th Avenue NW, Phase 2, Rock Creek Road to Tecumseh Road — \$2,681,000 Lindsey Street special corridor, Pickard Avenue to

Elm Avenue — \$2,112,000

Tecumseh Road, 12th NE to 24th Avenue NE — \$3,971,000 Rock Creek Road, Queenston Avenue to 24th Avenue NE — \$2,214,000

No jail for marijuana possession: On second reading, the city council unanimously approved a measure Tuesday eliminating jail time for marijuana possession in the city’s legal code.

“Those are a few minor amendments that make some pretty big changes,” Assistant City Attorney Jeanne Snider said.

The maximum municipal fine is now \$400, which is in line with the language of State Question 788.

Snider said municipal officers will be instructed to ticket, not arrest, making it a “sign-and-go” offense.

She said any medical marijuana license holders who are ticketed because they do not have their license on their person can later show proof of license and the ticket will be dismissed.

Ward 7 council member Stephen Tyler Holman said he has spoken with Ward 8 council member Alex Scott and interim City Attorney Kathryn Walker about the issue. He would like to see the city continue to explore, and both he and Scott advocated for reducing fines if possible.

Snider said fine amounts are determined by a judge, but city staff could continue to examine the issue.