

**EDMOND CITY COUNCIL MINUTES**

July 11, 2005

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, July 11, 2005, in the City Council Chambers.

**2. Approval of Minutes.** Motion by Miller, seconded by Page, to approve June 27, 2005, Minutes. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

**3. City Council Presentations:**

A. **Certificate of recognition of Outstanding Service to Sherry Williams from the Edmond Police Department.**

B. **Proclamation proclaiming July, 2005, as "NATIONAL PARKS AND RECREATION MONTH" in the City of Edmond.**

C. **City Manager's Monthly Progress Report.** Larry Stevens addressed Council and stated the Fink Park to Hafer Park trail north of Will Rogers Elementary School will need to be delayed until next summer. He stated the City made the commitment to the School Board to construct this portion of the trail during the summer and due to problems with the contractor were not able to get the trail constructed this summer. The time frame is past since school will be starting again next month. He stated the 15<sup>th</sup> Street improvement project, Edgewood to Pine Oak, is approximately two weeks behind schedule due to the recent rains. He noted the contractor will add extra crew to attempt to get back on schedule. Mr. Stevens stated the traffic calming devices on 9<sup>th</sup> Street was recently reviewed by the Public Works Committee which found that the calming devices did reduce the average speed along this street. The Committee recommended installing three speed humps in a series a few hundred feet apart to have more of an impact. The Committee recommended a final public meeting to discuss the results of the study. Mr. Stevens stated construction will start this week on the 7<sup>th</sup> and Kelly intersection project. The City's cost is approximately \$270,000 and will be paid out of the capital improvements sale tax fund. A

completion date for the project is early October but the contract does contain early incentives of \$2,000 per day for a maximum of 30 days.

**4. GENERAL CONSENT ITEMS:** (General Consent Items were voted on collectively except where noted.)

**A. Approval of Administrative Items:**

1) **Acceptance of construction permits from the Oklahoma Department of Environmental Quality.**

2) **Approval of transfer of appropriations for the General Fund - Edmond Mobile Meals and U.R. Special - \$3,900**

3) **Approval of transfer of appropriations for the Park and Recreation Department - \$3,000.34**

**B. Approval of Purchases:**

1) **Award of bid for single phase and 3-phase padmount transformers for the YourGovShop member participants.** Purchasing Manager recommended accepting bids from Pawels, Hughes Supply, Diversified Electric, AECI and Solomon Corp.

2) **Award of bid for single phase polemount transformers for the YourGovShop member participants.** Purchasing Manager recommended accepting bids from Hughes Supply, Diversified Electric, Arkansas Electric Co-Op, Priester Supply and Solomon Corp.

3) **Award of bid for miscellaneous electric supplies for YourGovShop member participants.** Purchasing Manager recommended accepting bids from Hughes Supply, Diversified Electric, Arkansas Electric Co-Op and Priester Supply.

4) **Approval of annual maintenance agreement for computer equipment from IBM as a sole source supplier in the amount of \$17,000.**

5) **Approval of bid disposition by the Purchasing Manager for the following:**

a) Coy's Wrecker Services - towing services (including

renewal options) for City owned vehicles for the Vehicle Maintenance Department in the annual estimated amount of \$8,000.

6) **Approval of disposal disposition of used vehicles and equipment for the Fleet Management Department.**

7) **Approval of Change Order No. 1 with Ford Audio Video for the MAC audio/visual project in the amount of \$3,000.34.**

Motion by Lamb, seconded by Sanford, to approve General Consent Items 4.A.(1-3) and 4.B.(1-7). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

Motion by Miller, seconded by Page, to recess the City Council meeting in order to convene the Edmond Public Works Authority meeting. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

7. **PLANNING CONSENT ITEMS:**

- A. **Consideration of Preliminary Plat, including private streets, for Covell Village Addition, located south of Covell Road and west of Kelly (Derek Turner, applicant) Case No. PR050015.**
- B. **Consideration of amended Final Plat of Fairfax Estates VI and Fairfax Gardens III, located north of Covell Road, east of Coltrane Road (J.W. Armstrong, applicant) Case No. PR040035.**

Motion by Lamb, seconded by Sanford, to approve Planning Consent Items 7.A. and 7.B. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

- C. **Consideration of Final Plat of University Plaza III Addition, located west of Blackwelder, south of 2<sup>nd</sup> Street (Sooner Land Company, LLC, applicant) Case No. PR050019.** The site contains 2.14 acres and has been graded as part of the work done for the Target/Lowe's stores. The Planning Commission and City Council has both previously approved the Site Plan.

Councilmember Page asked if the Conditional Letter of Map Revision (CLOMR) and the Letter of Map Revision (LOMR) have been approved by the Federal Emergency Management Agency (FEMA). He noted since this is a regional detention area he felt these items should be approved prior to approval of the Final Plat.

Randel Shadid, attorney representing the applicant, addressed Council and stated the CLOMR was approved during the review of the Wal Mart Neighborhood Market and the Target/Lowe's development. He stated anytime a development is constructed in the floodplain, a CLOMR needs to be prepared and submitted to FEMA. He noted the LOMR is an administrative item for City staff showing that the improvements that were approved in the CLOMR have been constructed and are working properly. Mr. Shadid stated they submitted a \$20,000 cash bond to the City to ensure that the CLOMR and LOMR are approved by FEMA. He stated they have hired Smith Roberts Baldischwiler to finish preparing the LOMR to submit to FEMA.

Steve Manek, City Engineer, addressed Council and stated the \$20,000 cash bond will be released after FEMA accepts the LOMR.

Councilmember Lamb noted that this property was developed prior to the applicant's larger development. He asked if the overall detention was designed to accommodate the entire tract or was the applicant's previously developed tract incorporated into the detention area later. He stated the City is essentially holding a cash bond until the LOMR is completed and they officially amend the map to reflect their improvements. The property in question was previously developed prior to the applicant developing their tract.

Mr. Manek stated the regional detention facility, at the time it was originally developed, incorporated the applicant's property.

Motion by Lamb, seconded by Sanford, to approve Planning Consent Item 7.C. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Sanford,  
Lamb and Miller  
NAYS: Councilmember Page

8. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Single Family Dwelling to General Commercial Planned Unit Development (PUD) usage, located east of Bryant, south of Hafer Park, north of 15<sup>th</sup> Street (Spring Creek Village, LLC/Sooner Land Company, applicant) Case No. Z050020 (Continued to July 25, 2005, at the request of the applicant).

9. Public Hearing and Consideration of Ordinance rezoning from "A" Single Family Dwelling to "E-1" General Commercial Planned Unit Development (PUD) usage, located east of Bryant, south of Hafer Park, north of 15<sup>th</sup> Street (Spring Creek Village, LLC/Sooner Land Company, applicant) Case No. Z050021 (Continued to July 25, 2005, at the request of the applicant).

10. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Single Family Dwelling and Suburban Office to Restricted Commercial Planned Unit Development (PUD) usage, located east of Bryant, south of Hafer Park, north of 15<sup>th</sup> Street (Spring Creek Village, LLC/Sooner Land Company, applicant) Case No. Z050018 (Continued to July 25, 2005, at the request of the applicant).

11. Public Hearing and Consideration of Ordinance rezoning from "A" Single Family Dwelling to "D-1" Restricted Commercial Planned Unit Development (PUD) usage, located east of Bryant, south of Hafer Park, north of 15<sup>th</sup> Street (Spring Creek Village, LLC/Sooner Land Company, applicant) Case No. Z050019 (Continued to July 25, 2005, at the request of the applicant).

12. Public Hearing and Consideration of Ordinance No. 2934 amending Edmond Plan from Single Family Dwelling to General Commercial Planned Unit Development (PUD) usage, located on the northeast corner of Blanch and North Broadway (JVC Development, LLC, applicant) Case No. Z050033. The property contains 22,400 square feet with six lots. The buildings will include commercial and office uses on the bottom floor and apartments on the second floor. The project will be developed similar to the downtown area using the Downtown Design Standards. No parking will be allowed on Broadway and alley improvements will be made as needed adjacent to the north side of the site.

Randel Shadid, attorney representing the applicant, addressed Council and stated the applicant rents property in downtown Edmond but since he owns this property he would like to construct a project for his use. He stated all the parking would be in the back of the building and this project will be a continuation of the downtown district. Mr. Shadid stated the development will employ the same concept as the buildings across from the Post Office. He noted the market is showing that it is time for this type of development in this area.

Councilmember Page stated he was concerned that the Central Edmond Urban Board has not reviewed the application.

Councilmember Lamb stated City ordinances do not require the Urban Board to review zoning requests, only site plans. He noted the new Title 22 does require rezoning requests be reviewed by the Urban Board but it has not been approved at this time. He stated he also would like the Urban Board to review the application.

Mayor Naifeh stated she did not feel it was necessary for the Urban Board to review the application because she felt that the Planning Commission was capable of reviewing these type of applications and making a recommendation.

Jo Duncan, who lives at the end of the alley behind this project, addressed Council and stated this project would not be of any benefit to her.

Gary Cutter, adjacent property owner, addressed Council and stated he preferred that the property remain single family. He noted if the property is rezoned, he will also rezone his property to multi-family.

Leroy Cartwright, Planning Commission member, addressed Council and stated he felt this area needed to grow and that the combination of residential and commercial would be good for this area.

Von Nix, applicant, addressed Council and stated he wanted to set the standard for North Broadway with this project. He noted the long term prognosis for this part of Broadway is commercial development.

General discussion was held regarding the need for the Urban Board to review the application and the applicant requested the application be continued to allow the Urban Board to review the project.

Motion by Miller, seconded by Page, to continue Items 12 and 13 to August 8, 2005, in order for the Central Edmond Urban Development Board to review the application at their July 26<sup>th</sup> meeting. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

**13. Public Hearing and Consideration of Ordinance rezoning from "A" Single Family Dwelling to "E-1" General Commercial Planned Unit Development (PUD), located on the northeast corner of Blanch and North Broadway (JVC Development, LLC, applicant) Case No. Z050034. This is a companion to the above item and was also continued to August 8, 2005.**

**14. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Limited Light Industrial and General Office Corridor to Light Industrial Planned Unit Development (PUD) usage, located on the southeast corner of Covell Road and I-35 (Dr. Curtis Harris, applicant) Case No. Z050029 (Continued to July 25, 2005, at the request of the applicant).**

**15. Public Hearing and Consideration of Ordinance rezoning from "F-O" Limited Light Industrial and General Office Corridor to "F-1" Light Industrial Planned Unit Development (PUD) usage, located on the southeast corner of Covell Road and I-35 (Dr. Curtis Harris, applicant) Case No. Z050030 (Continued to July 25, 2005, at the request of the applicant).**

**16. Public Hearing and Consideration of Ordinance No. 2934 rezoning from "A" Single Family Dwelling to "E-1" General**

**Commercial, located on the north side of E. 2<sup>nd</sup> Street, one-fourth mile east of Bryant (Hamid Sadeghy, applicant) Case No. Z050035.** The site contains 4.96 acres.

Earnest Isch, representing the applicant, addressed Council and stated the back portion of the building will be used for office/warehouse. He stated the drive approach will be on the east side of the property and that the neighboring property owner declined to share a drive. He noted the Preliminary Plat has already been filed and the application complies with the Edmond Plan III. Mr. Isch stated the one acre parcel immediately east of this tract was recently rezoned to general commercial.

Motion by Miller, seconded by Page, to approve Ordinance No. 2934 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

**17. Public Hearing and Consideration of Special Use Permit and Site Plan approval for a church classroom addition, located on the northeast corner of N. Broadway and Colcord (Good Shepherd Anglican Church, applicant) Case No. U050007 (Continued to July 25, 2005, at the request of the applicant).**

**18. Public Hearing and Consideration of Ordinance No. 2935 rezoning from "G-A" General Agricultural to "R-1" Rural Estate Dwelling District, located at 6101 N. Douglas Boulevard (Paul and Cynthia Waits, applicants) Case No. Z050028.** The site contains 17 acres and borders the Edmond city limits on the north. The applicant is planning to split the property into multiple tracts which will require a deed certification for the lot splits. The development will have private streets, water wells and septic tanks. An adjacent property containing 160 acres has recently been rezoned to single family and the Edmond Plan projects this property as suitable for single family development.

Councilmember Sanford stated that recent applicants have agreed to donate additional right-of-way on Douglas.

Paul Waits, applicant, addressed Council and stated he would provide additional right-of-way on Douglas.

Motion by Miller, seconded by Sanford, to approve Ordinance No. 2935 as read by title by City Planner subject to the applicant providing an additional 50 feet of right-of-way on Douglas.

**Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller

NAYS: None

**19. Discussion and Consideration of approval of the Request for Qualifications (RFQ) for the Edmond Plan Update, East Edmond Study, Arcadia Lake Development Study and Community Park Study.** Bob Schiermeyer, City Planner, addressed Council and stated staff has prepared the RFQ to perform multiple studies in conjunction with the update to the Edmond Plan. He stated the study can be divided into different portions but there will be only one consultant for the entire project. Mr. Schiermeyer stated he felt the East Edmond Study should be the first priority of the Land Use Study which will be overseen by the City Council. He stated the Community Park Study and the Arcadia Lake Development Study could be conducted simultaneously with the involvement of the Parks Department, Parks and Recreation Advisory Board and the Fish and Game Commission. The Edmond Plan update would be the later part of the overall study. Mr. Schiermeyer suggested the study cover a 25 year time line for land use projection. He stated they will provide the consultant who is performing the transportation study with land use projections in order to complete the study. He noted the consulting firm for the other three studies would be expected to follow through with a land use projection and written policy for updating the Plan incorporating the new data generated by this study, the Transportation Study and the Arcadia Lake Development Study. The current format requiring an official amendment to the Edmond Plan is not expected to change and is included in the RFQ. Mr. Schiermeyer stated he felt the studies need to be completed quickly, especially the East Edmond Study due to the increased development in that area, and he suggested 12 months to get all the studies completed.

General consensus of Council was to schedule workshops rather than holding discussions during the Council meetings, after a consulting firm has been chosen.

Councilmember Lamb suggested the RFQ be amended on Task 3 from "Crosstimbers Study" to "Sensitive Area Study". He stated each time the Edmond Plan is changed, the applicant is required to submit the reasons for changing the Plan. He requested the RFQ be amended to allow the consultant to assist Council and have a role, via suggestions, in determining what the matrix of amendment questions for changing the Edmond Plan needs to be and

also a methodology for addressing the changes against their projections of land use.

Councilmember Page stated he preferred a local consultant which will allow them to be more accessible during the study and meet the needs of the Council in a timely fashion.

Mayor Naifeh asked if the RFQ needed to contain a provision showing the differences between the State Statutes and City ordinances regarding septic tanks and streets. She stated she understood that State Statutes have precedence but that a City or local entity can approve more stringent requirements.

Mr. Schiermeyer stated those policies will be reviewed during the discussions regarding east Edmond land use with the consultant. He stated at this time there is the presumption that a developer does not need to plat a development that contains private streets.

Motion by Lamb, seconded by Page, to authorize staff to proceed with the RFQ based on the above discussion. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

**20. Executive Session to discuss the purchase of real property generally located in Downtown Edmond (Executive Session authorized pursuant to 25 Okla. Stat. Section 307(B)(3)).**

Motion by Lamb, seconded by Sanford, to meet in Executive Session to discuss the above Item. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb Miller  
NAYS: None

Mayor and Councilmembers recessed to the City Council Conference Room at 7:36 p.m. and returned to the City Council Chambers at 7:55 p.m.

Motion by Miller, seconded by Sanford, to adjourn Executive Session. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

**21. Consideration of action regarding the purchase of real property generally located in Downtown Edmond.**

Motion by Lamb, seconded by Miller, to authorize staff to continue negotiations to purchase the property in downtown Edmond. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

**22. NEW BUSINESS:** None

**23.** Motion by Miller, seconded by Page, to adjourn meeting.  
**Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford, Lamb and Miller  
NAYS: None

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City Clerk

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Mayor