

EDMOND CITY COUNCIL MINUTES

February 9, 2004

Mayor Sandra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, February 9, 2004, in the City Council Chambers.

2. Approval of Minutes. Motion by Miller, seconded by Lamb, to approve January 26, 2004, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

A. Recognition of the following City of Edmond employees for 25 years of service:

- 1) Robert Billen - Fire Department
- 2) Gerald Glasgow - Fire Department
- 3) Jerry Lorenz - Edmond Electric
- 4) Judy O'Day - Sanitation Department
- 5) Rick Rackley - Sanitation Department
- 6) David Rogers - Fire Department

B. City Manager's monthly progress report. Larry Stevens addressed Council and stated the 33rd Street project is in the final phase and should be completed by the end of March. Mr. Stevens outlined the Santa Fe street project even though this project is not a City of Edmond project but is primarily an Oklahoma County project in conjunction with the Oklahoma Department of Transportation and Oklahoma City. He stated the Safe Routes to School program was established to provide funding for sidewalk construction within two miles of public schools with an allocation of \$2 million from the capital improvements sales tax approved in 1996. Mr. Stevens noted that Phase I has been completed at a cost of approximately \$500,000 and solicitation of bids have begun for Phase II. Mr. Stevens outlined the Wal-Mart and Fox Lake Plaza site plans. He noted that the Board of Adjustment will be considering an appeal from the Fox Lake Homeowners Association and the I-35 Corridor Coalition on February 10th regarding what projects are allowable in the D-

2 Neighborhood Commercial zoning district. He stated the Planning Commission is tentatively scheduled to review the site plans on February 17th and the City Council on March 9th. Mr. Stevens noted the YMCA is still committed to constructing a facility at Mitch Park but that no time frame has been determined for construction at this time but discussions are continuing. Within the next couple of weeks Mr. Stevens stated he would be interviewing two finalists for the Parks and Recreation Director and would be making a job offer to one of the candidates. The last item discussed was the Willowood drainage study public meeting to be held in the Downtown Community Center on February 12th by the Corps of Engineers. The Corps will be soliciting input from the public for solutions to the flooding problems for this area.

4. Appointments to Boards and Commissions:

A. **Appointment to the Edmond Historic Preservation Trust.** Mayor Naifeh nominated the following citizens for re-appointment to serve a three-year term expiring in February, 2007:

- 1) George Winters
- 2) Julie Hovis
- 3) Dr. Bob Eaton
- 4) Cathey Stephens
- 5) Carlita Walters
- 6) Carolyn Roberts
- 7) Beth Henry

B. **Appointment to the Edmond Fish and Game Commission.** Councilmember Page nominated Larry Travis to serve a four-year term expiring in February, 2008.

C. **Appointment to the Capital Projects and Financing Task Force.** Mayor Naifeh nominated the following citizens for re-appointment to serve a three-year term expiring in February, 2007.

- 1) Shari Carney
- 2) Ray Hibbard
- 3) Raquel Strange

D. **Appointment to the Capital Projects and Financing Task Force.** Mayor Naifeh nominated Ron Carte to serve a three-year term expiring in February, 2007.

- E. **Appointment to the Edmond Public Transportation Committee.** Mayor Naifeh nominated Alexis Martel, youth member, to serve a three-year term expiring in February, 2007.
- F. **Appointment to the Social Agency Review Board.** Mayor Naifeh nominated Beverly Wynn to serve a three-year term expiring in February, 2007.

Motion by Lamb, seconded by Miller, to approve Items 4.A. through 4.F. **Motion carried** as follows:

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

5. **GENERAL CONSENT ITEMS:** (General Consent Items were voted on collectively except where noted.)
- A. **Approval of Administrative Items:**

- 1) **Acceptance of Final Plat, public improvements and maintenance bonds for Thomas Trails I, located on the southwest corner of Covell Road and Thomas Drive.**
- 2) **Approval to name 3rd community park access road "Fisher Drive".**
- 3) **Approval of supplemental appropriations for all non public works departments - \$3,818,320.43**
- 4) **Approval of supplemental appropriations for the 1996 capital improvements tax fund - \$341,882.94**
- 5) **Acceptance of roadway easement from William and Anne McGarry for the 7th Street and Kelly intersection project in the amount of \$35,000.**

Motion by Lamb, seconded by Sanford, to approve General Consent Items 5.A.(1-5). **Motion carried** as follows:

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

- B. **Approval of Purchases:**

1) **Approval of bid disposition by the Purchasing Manager:**

a) Gades Sales Company - LED traffic signal modules (including renewal options) for the Street Department/ Traffic Signal Division in the annual estimated amount of \$30,000.

2) **Approval of Change Order No. 1 with Selectron Technologies, Inc. for additional software licenses for interactive voice response system for telephone access to the Accela Permitting System in the amount of \$7,000.**

3) **Approval to reject bids for the Tennis Center pro-shop renovation project.**

4) **Approval of agreement with Revenue Recovery Group for independent audit management services.**

Motion by Miller, seconded by Page, to approve General Consent Items 5.B.(1-4). **Motion carried** as follows:

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

6. **Approval of Tort Claim Committee's recommendations on Tort Claims.**

<u>CLAIM NUMBER</u>		<u>RECOMMENDATION</u>
24-0020	Police Department	Deny - \$ 173.37
24-0030	Sanitation Department	Pay - \$ 420.00
24-0024	Street Department	Pay - \$1,114.84

Motion by Miller, seconded by Page, to approve Tort Claim Committee's recommendations on Tort Claims. **Motion carried** as follows:

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

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

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

11. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of amended commercial Site Plan approval for Danforth Plaza retail space, located south of Danforth, east of the Wal-Mart Supercenter (Renaissance Development/Edmond Plaza Associates, LLC, applicant) Case No. SP030012.** The applicant is proposing to eliminate the second driveway connection with Wal-Mart in the interior of the site. The revised site plan eliminates 14 parking spaces, reduces the height and number of light poles, places the air conditioner compressors on the ground rather than the roof, includes more brick on the exterior and reduces the height and size of the front parapet wall. The building will remain the same size as originally approved. The drive on Danforth will be shared with the property owner to the west but the deceleration lane in front of Wal-Mart will still be required.

Councilmember Page stated he was concerned with only one access into the project.

Bob Schiermeyer, City Planner, addressed Council and stated there will actually be two driveways. One connected to the Wal-Mart and the other connected to Danforth.

Chuck Twiball, Smith Roberts and Associates, also addressed Council on this matter.

Motion by Lamb, seconded by Sanford, to approve Planning Consent Item 11.A. **Motion carried** as follows:

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

- B. **Public Hearing and Consideration of commercial Site Plan approval for Fox Lake Plaza Shopping Center, located south of Fox Lake Lane, on the west side of I-35 (Frank Battle, applicant) Case No. SP030028 (Continued to March 8, 2004).**
- C. **Public Hearing and Consideration of commercial Site Plan approval for a Wal-Mart Supercenter, located on the northwest corner of 15th Street and I-35 (Wal-Mart Stores East, L.P., applicant) Case No. SP030044 (Continued to March 8, 2004).**

12. **Public Hearing and Consideration of Site Plan approval for an addition to an existing building at 1208 N. Chowning (Ken Moore, AVL Systems Design, applicant) Case No. SP030035.** The building addition would contain 1,080 square feet. A variance

is requested to allow painted concrete block on the exterior walls to match the existing building. Any new buildings on the land the applicant purchased to the east will be required to comply with current site plan standards.

Ken Moore addressed Council and stated a six-foot stockade fence would be installed on the east and south sides of the property. Councilmember Lamb requested another type of tree be used rather than Bradford pears. He stated he thought those type of trees were being discouraged.

Mr. Moore stated he would install the type of trees recommended by staff.

Motion by Miller, seconded by Lamb, to approve Item 12. **Motion carried** as follows:

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

13. Executive Session to discuss the purchase of real property along 2nd Street, south of the University of Central Oklahoma campus (Executive Session authorized pursuant to 25. Okla. Stat. Section 307(B)(3):

15. Executive Session to discuss the following pending claim (Executive Session authorized pursuant to 25. Okla. Stat. Section 307(B)(4):

Maytubby vs. City of Edmond

Motion by Miller, seconded by Page, to meet in Executive Session to discuss the above items. **Motion carried** as follows:

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

Mayor and Councilmembers recessed to the City Council Conference Room at 6:07 p.m. and returned to the City Council Chambers at 6:35 p.m.

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

AYES: Mayor Naifeh, Councilmembers Page,

Sanford, Lamb and Miller
NAYS: None

14. Consideration of action regarding the purchase of real property along 2nd Street, south of the University of Central Oklahoma campus.

Motion by Miller, seconded by Lamb, to authorize City Attorney to continue negotiations. **Motion carried** as follows:

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

16. Consideration of action regarding the following pending claim:

Maytubby vs. City of Edmond

Motion by Page, seconded by Lamb, to authorize City Attorney to proceed with settlement negotiations. **Motion carried** as follows:

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

17. NEW BUSINESS:

Councilmember Lamb stated the comment period is open on Title 22 until April 9th. He stated the Planning Department has CDs and hard copies of Title 22 available and it is also on the City's website.

Jim Reese, President of the Edmond Neighborhood Alliance (ENA), addressed Council and outlined the position of the ENA regarding the Board of Adjustment meeting being held tomorrow regarding the proposed Wal-Mart and the Fox Lake Plaza shopping center on I-35.

Mayor Naifeh thanked the Edmond Women's Club for their fund raising efforts for various charitable projects in the last year.

Mayor Naifeh also thanked Don Mathis for contributing an additional \$35,000 for additional lights installed at the skate park in Mitch Park.

Councilmember Miller stated he had received a thank you from David Jones regarding the trails system in Mitch Park.

17. Motion by Lamb, seconded by Miller, to adjourn meeting.
Motion carried as follows:

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

City Clerk

Mayor