

EDMOND CITY COUNCIL MINUTES

March 8, 2004

Mayor Saundra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, March 8, 2004, in the City Council Chambers.

2. Approval of Minutes. Motion by Miller, seconded by Page, to approve February 23, 2004, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

- A. **Recognition of Rick Parkins, Planning Department, for 25 years of service.**
- B. **Presentation of First Place Award for reliability of electric system operations by Shane Woolbright, Executive Director of Municipal Electric Systems of Oklahoma (MESO) to Edmond Electric.**
- C. **City Manager's progress report.** Larry Stevens stated the Senior Center is on schedule for completion by December of this year at a total cost of \$5.6 million. He noted that bids for an amphitheatre option have been solicited and a recommendation should be on the next agenda. Mr. Stevens stated the Cross Timbers Municipal Complex is proceeding as scheduled and the cost is approximately \$22 million. He stated meetings have been ongoing with the City of Guthrie for a potential joint operation of the airport and that he would be meeting with their representatives again in the near future. Mr. Stevens stated the City Council and representatives of the Fish and Game Commission met with StateSource Development Group last week to discuss potential commercial development at Arcadia Lake. He stated staff is preparing a Request for Proposals (RFP) to mail to all development groups to coordinate the project. He noted a draft of the RFP will be on the agenda in the near future. Mr. Stevens stated the first and second phase of landscaping on the South Broadway median will soon be completed at a cost of approximately \$90,000. The

completed project will include enhancement of all the median along Broadway from the south City limits to 2nd Street. Mr. Stevens stated acquisition of a second piece of property on 2nd Street is still being pursued in order to move forward on the regional forensics institute. He stated this project is a joint partnership with the Oklahoma State Bureau of Investigation and the University of Central Oklahoma. Mr. Stevens noted that the City Engineer informed him that all four lanes on 33rd Street between Bryant and Coltrane should be open tonight.

- D. **Presentation by Veronica Keathly and Tim Cannon, Cross Timbers Forestry, of the Sensitive Areas Study Part II.** Mayor Naifeh stated this item would be continued to the next meeting.

4. **Appointments to Boards and Commissions:**

- A. **Appointment to the Alarm Review Board.** Mayor Naifeh nominated Melissa Wade for appointment to serve a one-year term expiring in March, 2005.

- B. **Appointment to the Arts and Humanities Council.** Mayor Naifeh nominated the following citizens for re-appointment to serve three-year terms expiring in February, 2007:

- 1) Nellie Green
- 2) Keith Weber
- 3) Pamela Richman
- 4) Dennis Garton

Councilmember Miller asked if Mr. Weber was representing UCO on this Board. He noted that Mr. Weber has not worked for UCO for quite some time.

Mayor Naifeh stated none of the appointees represented any organizations. She stated the Arts and Humanities Council recommended these citizens be reappointed to the Board.

Motion by Miller, seconded by Lamb, to approve Item 4.B.
Motion carried as follows:

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

- C. **Appointment to the Central Edmond Urban Development Board.**

Mayor Naifeh nominated Kay Bickham for re-appointment to serve a three-year term expiring in March, 2007.

- D. **Appointment to the Central Edmond Urban Development Board.** Councilmember Miller nominated Jim White for re-appointment to serve a three-year term expiring in March, 2007.
- E. **Appointment to the Edmond Economic Development Authority Board.** Mayor Naifeh nominated Dr. Don Betz to fill the unexpired term of David Harris expiring in July, 2005.
- F. **Appointment to the Employee Pension and Retirement Advisory Board.** Mayor Naifeh nominated Bill Zeigler for re-appointment to serve a two-year term expiring in March, 2006.
- G. **Appointment to the Social Agency Review Board.** Mayor Naifeh nominated Mary Beth Hetrick for appointment to serve a five-year term expiring in March, 2009.
- H. **Appointment to the KickingBird Tennis Center Advisory Board.** Mayor Naifeh nominated Mike Wanzer for re-appointment to serve a three-year term expiring in March, 2007.
- I. **Appointment to the Edmond Public Transportation Committee.** Mayor Naifeh nominated Leon Fourcade for appointment to serve a three-year term expiring in March, 2007.
- J. **Appointment to the Visual Arts Commission.** Councilmember Page nominated Larry Westmoreland for re-appointment to serve a three-year term expiring in March, 2007.
- K. **Appointment to the Visual Arts Commission.** Councilmember Miller nominated Kerry Adams for re-appointment to serve a three-year term expiring in March, 2007.

Motion by Lamb, seconded by Page, to approve Items 4.A., 4.C. through 4.K. **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 public improvement and maintenance bonds for Coffee Creek Channel Restoration (Steeplechase Addition).
- 2) Acceptance of roadway easements from Independent School District No. 12 for the 15th Street widening project, Pine Oak to Edgewood. Councilmember Sanford expressed her appreciation to the School District for giving the easements at no cost to the City.
- 3) Acceptance of construction permits from the Oklahoma Department of Environmental Quality for water and sewer lines to serve the Cross Timbers Municipal Complex.
- 4) Approval of fee structure for space rentals at the Festival Marketplace facility for the Farmers Market participants.
- 5) Acceptance of roadway easements from Carolyn Sadeghy for the 15th Street Widening project, Pine Oak to Edgewood in the amount of \$50,000.
- 6) Approval of transfer of appropriations - Public Safety Sales Tax funds - \$7,800
- 7) Approval of supplemental appropriations - GIS Department to hire one additional person previously approved - \$15,620.62

B. Approval of Purchases:

- 1) Award of bid for a street sweeper mounted on appropriate cab and chassis for the Fleet Management Department. Purchasing Manager recommended accepting bid from United Engines in the amount of \$106,360.
- 2) Award of bid for the 7th Street and Kelly waterline relocation project and approval of Resolution No. 04-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from M.L. Young Construction, Inc., in the amount of \$156,830.
- 3) Award of bid for the Edwards Street waterline improvement project as part of the Community

Development Block Grant (CDBG) program and approval of Resolution No. 05-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from Matthews Trenching in the amount of \$369,559.50.

4) Approval of Amendment No. 1 with Oklahoma City to increase the amount of the City of Edmond's participation and allow final payment in a joint project for bridge replacement on E. 15th Street, 0.6 miles west of Choctaw Road in the amount of \$5,642.28.

5) Approval of Amendment No. 1 with the Central Oklahoma Parking and Transportation Authority (COTPA) for trolley service and bus shelters added to the existing transportation program in the amount of \$170,000.

6) Approval of agreement with LandPlan Consultants, Inc. for additional professional services for the Mitch Park and Coffee Creek trails projects in order to prepare a storm water pollution prevention plan in an amount not to exceed \$16,500.

7) Approval of Change Order No. 1 with Lippert Brothers for the Multipurpose Activity Center at Mitch Park project in the amount of \$196.

Motion by Lamb, seconded by Sanford, to approve General Consent Items 5.A.(1-7) and 5.B.(1-7). **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>
24-0039 KickingBird Golf Club	Deny - \$2,394.65
24-0036 Electric Department	Deny - \$ 599.90

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 Miller, 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

10. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of commercial Site Plan approval for a Wal-Mart Super Center, located on the northwest corner of 15th Street and I-35 (Wal-Mart Stores, East, L.P., applicant) Case No. SP030043 (Continued to April 12, 2004).**
- 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 April 12, 2004).**
- C. **Public Hearing and Consideration of Preliminary Plat approval for Fox Lake Plaza Addition, located south of Fox Lake Lane, on the west side of I-35 (Frank Battle, applicant) Case No. SP030030 (Continued to April 12, 2004).**
- D. **Consideration of Final Plat approval for Danforth Plaza retail space, located south of Danforth, east of the Wal-Mart Super Center (Renaissance Development and Edmond Plaza Associates, LLC, applicant) Case No. PR030015.**
- E. **Public Hearing and Consideration of Special Use Permit and Site Plan approval for a 1,800 square foot addition to an existing church, located at 410 W. Hurd (Grace Fellowship Church, applicant) Case No. U040004.**
- F. **Public Hearing and Consideration of commercial Site Plan approval for Sam's Auto Wash Express, located south of E. 2nd Street, on the southwest corner of 2nd Street and Katie Michelle (Sam Cosby IV, applicant) Case No. S0040001.**

Motion by Miller, seconded by Page, to approve Planning Consent Items 10.D. through 10.F. **Motion carried** as follows:

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

11. Consideration of Final Plat for Kimberly Crossing Addition, located north of W. Edmond Road and east of Santa Fe Road (Coon Engineering, applicant) Case No. PR030037. The site will contain 61 single family lots with private streets and gated access. A Common area will be located at the entry just south of Dooley Farms Lane. A large open space is located adjacent to the creek and will contain a 20 foot wide public walkway trail easement to meet the Trails Plan and comply with Edmond Plan III. The exact location of the trail easement needs to be evaluated by the Engineering staff to protect the floodplain and determine the best location for the trail.

Bob Schiermeyer, City Planner, addressed Council and stated the applicant agreed during the Preliminary Plat review that before the 50th building permit is applied for they will begin construction of the traffic light at Hartford and Dooley Farms Lane and before the 50th occupancy permit is issued they will have the traffic light completed.

Councilmember Lamb stated this application is for the first phase of the development and that it was discussed at length when the Preliminary Plat was reviewed for the entire development.

Motion by Lamb, seconded by Miller, to approve Item 11. **Motion carried** as follows:

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

12. Consideration of Preliminary Plat of North Kelly Planned Unit Development (PUD), located south of Swan Lake Road, west of the offices at Kelly Avenue (Michael Forth, applicant) Case No. PR040002. This item was continued from the last meeting. The development will contain detention and common areas to be owned and maintained by the homeowners association. Additional detention will be provided in the entry open space to meet Title 23 requirements since the original detention is not sufficient to serve the new development. The street will be private and the applicant will obtain an easement from the office complex to interconnect the driveway to the office complex.

Mr. Schiermeyer addressed Council and stated the developer has added detention on the front of the addition off of Swan Lake Road as well as landscaping which will add additional protection

to the residents of the Swan Lake Addition.

Randel Shadid, attorney representing the applicant, addressed Council and stated this application was continued from last meeting in order to verify that the drainage calculations were correct. He stated the drainage is in compliance with City regulations.

Jim Clow, representing the Edmond Neighborhood Alliance, and Cheryl Williams, 1300 Lapwing Swan Lake Addition, addressed Council in opposition. Mr. Clow stated the development is not appropriate for the zoning category. Ms. Williams stated there is significant drainage problems in this area and that the style of the development is not consistent with the neighborhood.

Bob Schiermeyer outlined other areas of the City similar to the applicant's development and stated it is common practice to allow variances for zero lot lines either on the side or front of the lot. He noted the development has less density than the duplexes that already exist in the Swan Lake Addition.

Steve Manek, City Engineer, addressed Council and stated problems with the water lines on Lapwing have been identified by the maintenance records of the Utility Line Maintenance Department and will be replaced with a different type of pipe that will not be eroded by the soil. He stated the final design plans will be submitted to his office within the next 30 to 45 days and bids would be solicited and let in the near future.

Motion by Page, 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).

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

Walker vs. City of Edmond

Motion by Page, seconded by Lamb, 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 6:31 p.m. and returned to the City Council Chambers at 7:28 p.m.

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

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

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

Motion by Lamb, seconded by Miller, 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:

Walker vs. City of Edmond

Motion by Miller, 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:

Mayor Naifeh thanked staff for the report on the land clearing on Coltrane. She noted the applicant applied for a permit from the Department of Environmental Quality only after City staff brought it to their attention. She also noted that there were no erosion control devices until the City requested they be provided. General discussion was held on ways to keep this type

of land clearing from happening in the future.

Councilmember Miller stated he would like to discuss revisions to the ordinances and resolutions creating the City Boards and Commissions regarding the terms of office, youth members terms and voting rights, residence and/or entity representation requirements and appointment process at the next meeting.

Mayor Naifeh noted that a new public sculpture was placed in front of 1st Commercial Bank on Kelly and she urged everyone to go and view the sculpture.

18. Motion by Lamb, seconded by Page, to adjourn meeting.
Motion carried as follows:

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

City Clerk

Mayor