

## EDMOND CITY COUNCIL MINUTES

May 10, 2004

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, May 10, 2004, in the City Council Chambers.

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

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

**3. City Council Presentations:**

- A. **Presentation of proclamation declaring May 16-22, 2004, as "NATIONAL PUBLIC WORKS WEEK" in the City of Edmond.**
- B. **Award presentation to Sam McNeiland, Superintendent of Edmond Solid Waste, named as Oklahoma's American Public Works Association Solid Waste Manager of the Year; presented by Keith Duncan, Oklahoma Chapter President, American Public Works Association.**
- C. **Recognition of Gordon Mix and Walter Keith, Edmond Street Department; presented by Clay Coldiron, Public Works Director.**
- D. **Recognition of David Yost for donations to the City of Edmond; presented by Carrie Tomlinson, Urban Forester.**
- E. **City Manager's Monthly Progress Report.** Larry Stevens addressed Council and stated the Cross Timbers Municipal Complex is on schedule. Mr. Stevens stated the project will be included on the City's website and will allow citizens to track the progress of the project. He noted this was the most costly public facilities project that the City had ever attempted at a cost of approximately \$22 million. Mr. Stevens stated meetings have been held with representatives of PAW (Partners for Animal Welfare of Oklahoma) concerning the possibility of establishing a dog park. He noted a dog park will allow dogs to run off-leash in a safe environment. Mr. Stevens stated the group has discussed a possible public/private partnership and that

the Parks Department will look into the logistics involved in this project. The next item discussed was the Festival Marketplace. He noted the Farmer's Market will use the facility beginning on May 22<sup>nd</sup>. Mr. Stevens stated a draft agreement has been sent to Guthrie representatives regarding a potential airport project and he will be meeting with them next week to discuss a proposed agreement that will then be submitted to both city's councils. A meeting is scheduled with the Finance/Audit Committee to finalize a financing package to fund approximately \$30 million in major improvements for our water system. The package will include construction of a new water line from Hefner Road to the future northwest complex to be located at Boulevard and Coffee Creek and will be funded by a mixture of revenue bonds and a state loan. The last item discussed was community gateway signs that will be installed at the south city limits on Broadway. There will be two 3'x 6' signs to remind citizens of the city limits and encourage local shopping in Edmond.

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

**A. Approval of Administrative Items:**

**1) Approval of electric easements for service provided from the following:**

- a) Saint Mary's School, Inc.
- b) Kyle and Audrey Mauck

**2) Acceptance of public improvements and maintenance bonds for the following:**

- a) Fine Arts Institute
- b) Boulevard Park access road

**3) Acceptance of Final Plat, public improvements and maintenance bonds for Village Center II at Coffee Creek, located at the northeast corner of Kelly and Covell.**

**4) Public Hearing and Consideration of Ordinance No. 2842 amending Chapter 2.76 of the Edmond Municipal Code, City of Edmond Arts and Humanities Council, Section 2.76.020 Membership providing for Term of Youth Member; providing for Repealer and Severability.**

5) Public Hearing and Consideration of Ordinance No. 2843 amending Chapter 2.64 Park and Recreation Advisory Board of the Edmond Municipal Code, Section 2.64.030(1) providing for Term of Youth Member; providing for Repealer and Severability.

6) Public Hearing and Consideration of Ordinance No. 2844 amending Chapter 2.74 of the Edmond Municipal Code, Social Agency Revenue Commission, Section 2.74.020 providing for Term of Youth Member and for Residency Requirement of Members; providing for Repealer and Severability.

7) Public Hearing and Consideration of Ordinance No. 2845 amending the Edmond Municipal Code, Chapter 2.80 Edmond Public Transportation Committee, Section 2.80.020 Membership to provide for Residency of Members and Term of Youth Member; and providing for Repealer and Severability.

8) Public Hearing and Consideration of Ordinance No. 2846 amending the Edmond Municipal Code, Chapter 2.82 Convention and Tourism Advisory Board, Section 2.82.010 Established, Composition, Appointment, Terms, and Organization providing for Residency and Term of Youth Member; providing for Repealer and Severability.

9) Public Hearing and Consideration of Ordinance No. 2847 amending Chapter 2.92 Urban Forestry Commission of the Edmond Municipal Code, Section 2.92.030 Creation and Establishment of the Urban Forestry Commission to provide for Term of Youth Member; providing for Repealer and Severability.

10) Public Hearing and Consideration of Ordinance No. 2848 amending the Edmond Municipal Code, Chapter 2.92 Art In Public Places program, Section 2.94.050(B)(1) Term of Youth Member; providing for Repealer and Severability.

11) Public Hearing and Consideration of Ordinance No. 2849 amending Section 8.44.020(D) of the Edmond Municipal Code, Alarm Review Board; to provide for Residency Requirement of Citizen Board Members; and providing for Repealer and Severability.

12) Public Hearing and Consideration of Ordinance No. 2850 amending Chapter 22.26A Central Edmond Urban Development Board of the Edmond Municipal Code, Subsection 22.26A.030(F) providing for Term of Youth Member and amending the Last Paragraph of Section 22.26A.030 providing for Residency Requirement of Members; providing for Repealer and Severability.

13) Consideration of Resolution No. 16-04 regarding the Edmond Community Oriented Policing Leadership Council regarding Membership and Terms of Office for Youth Member.

14) Approval of interlocal agreement with the Board of County Commissioners of Oklahoma County to reconstruct, improve, repair and maintain certain city streets in the City of Edmond.

Motion by Lamb, seconded by Sanford, to approve General Consent Items 4.A.(1-14). **Motion carried** as follows:

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

B. **Approval of Purchases:**

1) Approval of interlocal agreements with the Board of County Commissioners of Oklahoma County for the following:

- a) Mowing and weed control maintenance of section line rural Right-of-Ways in the amount of \$25,000
- b) Construct roadway improvements on 33<sup>rd</sup> Street (N.E. 150<sup>th</sup>) from Post Road to Hiawasse Road in the amount of \$16,748.57
- c) Improvements at Covell Road between Midwest Boulevard and Douglas in the amount of \$190,000

2) Acceptance of roadway easement from Hampton Oaks Office Park, LLC for the 15<sup>th</sup> Street widening project, Pine Oak to Edgewood in the amount of \$2,000 administrative fee.

3) Approval of Change Order No. 2 with Timberlake Construction for resolution of unstable soils associated with the Public Service Center access road

and the Animal Welfare parking area, and realignment of the off-site sanitary sewer at the Cross Timbers Municipal Complex project in the amount of \$147,367.68.

4) Approval of Change Order No. 2 with Lippert Brothers for the Multipurpose Activity Center at Mitch Park project in the amount of \$7,344.

5) Approval of Change Order No. 3 with M.L. Young Construction Co., Inc., for the Festival Marketplace project in the amount of \$15,685.50.

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

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

6) Approval of contracts for renewal of the Employee Group Health Insurance Related Services from Group Administrators, Delta Dental, Vision Service Plan, SHPS/National Health Services, Restat, Unum, Conexis/CompLink, and Gerber through Stop Loss Concepts for Medical Administration (TPA), Dental Administration, Vision Administration, Utilization Review, Pharmacy Benefit Management, Life, AD&D & LTD, Section 125 Administration and Reinsurance for the City of Edmond, respectively. The contracts will be effective July 1, 2004, and a Request for Proposals (RFP) is anticipated during the 2004/2005 fiscal year.

Mayor Naifeh addressed Council and commended the City's Benefits Coordinator, Allie Smith, on her professionalism and knowledge of the insurance business. She questioned including renewal options in the contract and asked if, by including the renewal options, the City would be bound to any of the past vendors. She noted the contract does not include a cost increase from last year.

Larry Stevens stated approval of the contract will not bind the City to any of the vendors and that the Insurance Committee will review all vendors completely next year during the RFP process.

Motion by Miller, seconded by Page, to approve General Consent Item 4.B.(6). **Motion carried** as follows:

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

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

<u>CLAIM NUMBER</u>		<u>RECOMMENDATION</u>
24-0043	Street Department	Deny - \$ 31.00
24-0042	Police Department	Pay - \$543.35

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

**9. PLANNING CONSENT ITEMS:**

- A. **Consideration of Preliminary Plat of Blakes Bluffs Section 1, located on the east side of Coltrane, north of the Thunderhead Hills Addition (SKM, LLC, applicant) Case No. PR040011.** The site contains 37 lots on 19.5 acres. The development will be gated with private streets. Residents of Thunderhead Hills requested the water line be extended to the northeast corner of the addition and the developer agreed.

Mayor Naifeh stated an e-mail was received from Suzanne and Larry Keller that raised several issues and she asked if these issues have been resolved.

Lawanna Trout, property owner to the west, requested additional information about what type of development is planned for Lots 1, 2 and 37.

David Jones, The Orion Group, addressed Council and stated the run-off will be detained on site. He stated the development will be similar to Woody Creek in size of homes and density. Mr. Jones noted that Lots 1, 2 and 37 will be platted as residential and are expected to remain as residential. He stated the application will meet all the requirements for detaining run-off. He stated the developer plans to connect to the Karen Cook property on the east as part of a future phase of the development. Mr. Jones stated that all road work will be completed at the beginning of each area's construction phase. He noted a water line will be

extended to the Thunderhead Hills Addition and because of the private streets , no interconnect is planned between any future developments.

Motion by Miller, seconded by Page, to approve Planning Consent Item 9.A. subject to extension of water line to Thunderhead Hills Addition. **Motion carried** as follows:

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

- B. **Consideration of Final Plat of Henry's Chicken Fry addition, located west of the Total Station on the south side of W. Edmond Road, west of Kelly (Dennis Clowers, applicant) Case No. PR040006.**
- C. **Consideration of Final Plat of Fairfax Estates V Addition, located north of Covell Road, one-half mile east of Coltrane Road (Fairfax Joint Ventures, LLC, applicant) Case No. PR030045.**
- D. **Consideration of request correction of Plat of Fairfax Estates III Addition affecting 15 lots, located north of Covell Road, east of Coltrane Road (J.W. Armstrong, applicant) Case No. PR030018.**
- E. **Public Hearing and Consideration of Ordinance No. 2851 amending Edmond Plan III from Planned Light Industrial Planned Unit Development (PUD) and Light Industrial usage to Single Family usage, located east of Bristol Park Addition, south of Copper Lake (Kay-Bee Investment Co., LLC, applicant) Case No. Z030044.**
- F. **Public Hearing and Consideration of Ordinance amending Edmond Plan II from Single Family Dwelling usage to High Density Residential and Commercial Services usage, located on the south side of Thatcher Street, west of the Burlington Northern Santa Fe Railroad tracks (J & T Development, LLC, applicant) Case No. Z040007 (*Withdrawn by the applicant*).**
- G. **Public Hearing and Consideration of Ordinance rezoning from "A" Single Family Dwelling usage to "C-3" High Density Residential and Commercial Services usage, located on the south side of Thatcher Street, west of the Burlington Northern Santa Fe Railroad tracks (J & T Development, LLC, applicant) Case No. Z040008 (*Withdrawn by the applicant*).**

Motion by Lamb, seconded by Miller, to approve Planning Consent Items 9.B. through 9.E. **Motion carried** as follows:

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

**10. Discussion and Consideration of a recommendation to extend the Central Business District (CBD) Zoning District to the area generally south of 2<sup>nd</sup> Street, west of Boulevard and east of the alley east of Broadway, and to initiate notice for rezoning by the City.** Councilmember Lamb stated that the Central Edmond Urban Development Board recommended initiating the rezoning process at their last meeting. He stated rezoning to CBD will allow the area to continue to develop in the urban style with the streetscape and pedestrian friendly features. He noted that there are multiple uses in this area and the rezoning will bring

it all under one zoning designation. Councilmember Lamb stated he was not in favor of extending the south boundary to 9<sup>th</sup> Street or to Broadway. He recommended that the demarcation line be the alley behind the properties that front Broadway.

General discussion was held on including Broadway in the rezoning. Mayor Naifeh and Councilmember Miller both wanted to include Broadway.

Councilmember Page felt by including Broadway it would allow developers to perhaps acquire several lots and then request a high density commercial complex.

Mark Neighbors, who owns most of property along 5<sup>th</sup> Street, addressed Council and stated he agreed with Councilmember Lamb and does not want to extend down to 9<sup>th</sup> Street. He noted from 6<sup>th</sup> to 9<sup>th</sup> Streets there is a long term residential neighborhood and they would not want to be included in the CBD. He stated that he is attempting to develop on Boulevard with the same urban feel as the downtown area is developing. Mr. Neighbors stated he felt Broadway should continue to develop in the same manner as it is currently.

David Forrest, Chairman of Central Edmond Urban Development Board, addressed Council and stated an additional impetuous to extending the CBD zoning was requests from private industry to construct high-end brownstone type buildings which are high density developments. He requested the CBD be amended to allow this type of development. Mr. Forrest stated the rezoning and changes to the CBD requirements would allow for higher density urban style residential developments in the downtown area.

Councilmember Lamb stated high density urban developments will fit the character that the Urban Board is trying to develop in the downtown area. He stated he needed the Council's acceptance to the idea of initiating the extension of CBD zoning prior to initiating any rezoning. He stated the next step is to schedule a Community Connections meeting with the affected property owners.

Mayor Naifeh stated she was open to the idea but felt that the redistricting should not be limited to the area requested and should be extended to Broadway.

Councilmember Miller stated he agreed with the Mayor but felt the CBD zoning should extend all the way west to the railroad tracks.

Councilmember Lamb stated extending the CBD area to Broadway is more than he can justify due to the development on Broadway that is not consistent with the efforts of the Urban Development Board to encourage the pedestrian style development.

Motion by Miller, seconded by Page, to approve initiating the rezoning process. **Motion carried** as follows:

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

**11. NEW BUSINESS:**

Mayor Naifeh complemented the re-landscaping of the islands at the Marketplace Shopping Center located at 33<sup>rd</sup> Street and Boulevard. She noted that she has been critical in the past of the tree trimming and she wanted to publicly thank the shopping center for the improvements.

Mayor Naifeh also announced a program headed by Gary Ridley, State Transportation Director, regarding the bridge situation in Oklahoma. She stated she was interested in bringing forward a resolution to support Mr. Ridley's program and asked Council for their comments as to whether they would support such a resolution.

Councilmember Miller stated there are sudden changes in speed limits along 33<sup>rd</sup> Street as it crosses Bryant, as well as other areas on the west side of the City and the downtown area. He stated these areas are often seen as speed traps.

Steve Manek, City Engineer, addressed Council and distributed an invitatory of all the speed limits on the section line roads. He noted the outer limits of the City have high speed limits and they get lower as you progress into town. Mr. Manek stated the speed limit corresponds to the volume of traffic on the streets. He stated he would initiate a study on the posted speed limits versus the actual speeds that are expected on some of the streets.

Mayor Naifeh stated Edmond City Council won the contest with Oklahoma City City Council regarding the race for the ultimate drive to benefit the Susan B. Komen breast cancer foundation.

**12.** Motion by Miller, seconded by Lamb, 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**