

EDMOND CITY COUNCIL MINUTES

June 28, 2004

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, June 28, 2004, in the City Council Chambers.

2. Approval of Minutes. Councilmember Lamb requested the Minutes be amended on Item 12 of his comments "and will be looking to incorporate this as a new requirement in Title 22 standards for large parking lots. He stated he will be interested to see how that works out." Motion by Lamb, seconded by Page, to approve June 14, 2004, Minutes as amended. **Motion carried** as follows:

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

3. City Council Presentations:

A. **Presentation of Champions of Character awards to Rev. Tim Richardson and Mike Williams, presented by Carol Hartzog on behalf of the Character Council of Edmond.**

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

A. **Approval of Administrative Items:**

1) **Acceptance of City Manager's Financial Report for month ending May 31, 2004.**

2) **Acceptance of City Treasurer's Investment Report for month ending May 31, 2004.**

3) **Acceptance of electric easements from the following:**

- a) Herbert H. Jones
- b) Steak N Shake
- c) University Village Shopping Center

4) **Approval of contract with the Edmond Public Schools regarding use of the Edmond Police Department**

K-9 Unit for the 2004/2005 school year.

5) Approval of annual agreement with Oklahoma City/County Board of Health for inspections for Food Handler's Licenses.

6) Approval of Resolution No. 21-04 authorizing spending above the 90% limit as designated by the Oklahoma Municipal Budget Act of 1979, adopted by the City of Edmond.

7) Approval of the application to the Federal Emergency Management Agency (FEMA) for a Letter of Map Revision for Coffee Creek, west of Coltrane Road in the vicinity of the Steeplechase Addition.

8) Approval of transfer of appropriations for radio/communications equipment for the Central Communications Department - \$11,650

9) Approval of transfer of appropriations for the Park Department - \$5,250

10) Approval of agreements with the following Social Agencies and Community Services for FY 2004/2005:

- a) Edmond Family Services
- b) Edmond 4th of July Festival, Inc.
- c) HOPE Center of Edmond
- d) Arts and Humanities Council
- e) Edmond Land Conservancy, Inc.
- f) Project R.E.A.D.
- g) Edmond Mobile Meals
- h) Edmond Round-Up Club
- i) Parents Helping Parents, Inc.
- j) Fine Arts Institute of Edmond, Inc.
- k) Character Council of Edmond, Inc.
- l) Edmond Historical Society
- m) Edmond Historic Preservation Trust
- n) Emergency Medical Services Authority (EMSA)
- o) Central Oklahoma Transportation and Parking Authority (COTPA)

Motion by Lamb, seconded by Miller, to approve General Consent Items 4.A.(1-10). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,

Sanford, Lamb and Miller

NAYS: None

11) **Approval of agreement with the City of Guthrie for a regional airport partnership, and approval of supplemental appropriations in the amount of \$300,000.** City Manager Larry Stevens addressed Council and stated he had been working with representatives from the City of Guthrie on developing a partnership to operate the existing airport for several months. The airport would be renamed the Guthrie-Edmond Regional Airport. He noted that approximately 50 Edmond businesses and residents currently use the airport. Mr. Stevens stated an Airport Advisory Board consisting of seven members would be created. Each city would appoint three members with the Guthrie City Manager as the deciding vote in the event of a split vote. The City of Edmond will contribute \$250,000 for capital improvements and the Edmond Economic Development Authority will contribute \$50,000. The project will receive \$6 million in grants from the Federal Aviation Administration and the Oklahoma Aeronautics Commission. The money that is contributed by Edmond will represent a 5% match of these funds. Mr. Stevens stated the City will also be responsible for half of the yearly operating costs which are estimated at \$50,000 per year per city. He stated a full-time airport manager would also need to be hired who can promote the airport. He noted that it is unrealistic for the City to pursue it's own airport and he felt it would be most beneficial to share facilities with the City of Guthrie. The contract is for five years beginning on July 1st. Mr. Stevens stated either city can terminate the contract at any time but if the contract is terminated within the first five years, the terminating party must reimburse the remaining city a percentage of the initial \$300,000 investment based on the length of the contract.

Bill Sterns, member of the Airport Advisory Committee, addressed Council and outlined the recent improvements to the Guthrie Airport. He stated he felt further development of the airport would provide economic growth benefits for both cities and would also provide benefits to area residents who would be able to use the airport. Mr. Sterns noted that most

large corporations have airplanes now and need access to an airport.

Bob Jardee, Oklahoma Aeronautics Commission (OAC), addressed Council in support. He noted there is a shift toward corporate jets and away from commercial flights. He stated the OAC encourages regional airports in order to lessen the small airplane traffic at the large commercial airports. Mr. Jardee stated this regional airport would be a showcase for other cities to follow. He noted there is no other airport in northeast Oklahoma County and that an airport is needed to service this area of the state.

John Balsiger, Midwest Regional Coordinator for the National Business Aviation Association, also addressed Council in support and stated there is a need for this type of regional airport. Randy Allen and Cynthia Rolf, Chairman of the Edmond Area Chamber of Commerce, also addressed Council in support.

Richard Prawdzienski, area resident, addressed Council in opposition. He stated there are too many unknowns and not enough data being made available. He noted that there are no comparisons of cities Edmond's size to determine if the airport would be successful.

General discussion was held and consensus of officials and supporters was that they did not expect the airport to be profitable in the beginning and may always need to be subsidized by both cities.

Motion by Page, seconded by Miller, to approve General Consent Item 4.A.(11). **Motion carried** as follows:

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

B. **Approval of Purchases:**

1) **Award of Request for Proposals for temporary personnel services.** Human Resources Director recommended accepting proposals from A&M Temporaries, Inc. and Personnel Consultants.

- 2) **Approval of contract with Smith-Roberts Land Services for the acquisition of Right-of-Way for the Northwest Complex located at Boulevard and Coffee Creek in the amount of \$81,250.**
- 3) **Approval of agreement with the University of Central Oklahoma (UCO) for broadcast services for Cox Cable Channel 20 in the amount of \$17,740.**
- 4) **Award of bid for the FY 2003/04 Spring Street Overlay project, and approval of Resolution No. 22-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from McConnell Construction in the amount of \$896,170.65.**
- 5) **Award of bid for the Kelly Parkway Waterline Relocation project, 15th to 33rd Streets, and approval of Resolution No. 23-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from Luckinbill, Inc. in the amount of \$667,838.**
- 6) **Award of bid for the 15th Street Waterline and Sanitary Sewer Relocation project, Pine Oak to Edgewood, and approval of Resolution No. 24-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from Matthews Trenching in the amount of \$389,154.**
- 7) **Award of bid for the Gabion Wall Repairs at Hafer Park project and approval of Resolution No. 25-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from Wynn Construction in the amount of \$160,790.69.**
- 8) **Award of bid for Novell Software License renewal for the Management Information Systems Department. Purchasing Manager recommended accepting bid from SHI in the amount of \$30,317.**
- 9) **Award of bid for the Kid's Pond at Hafer Park Renovation project and approval of Resolution No. 26-04 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from Resource Builders in the amount of \$98,344.**

Motion by Miller, seconded by Page, to approve General Consent Items 4.B.(1-9). **Motion carried** as follows:

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

Motion by Page, 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

11. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of Ordinance No. 2858 closing a utility easement, located at 541 Park Place, Lot 5, Block 1, Clegern Park Addition (David Hornbeek, applicant).**
- B. **Public Hearing and Consideration of commercial Site Plan approval for a "Swim Like a Fish" swim school, located on the north side of Enterprise Drive, east of Dynamo Gymnastics (Yolanda Coronel, applicant) Case No. SP040006.** The building will contain 6,000 square feet and 62 parking spaces are provided. Since this project is zoned Light Industrial, it is allowed to provide 5% landscaping rather than the usual 10%. The major portion of landscaping will be at the corner of Kelly and Enterprise Drive.

Councilmember Sanford stated she was concerned about constructing a facility for children on property zoned Light Industrial. She noted she was concerned about trucks driving through this area.

Bob Schiermeyer, City Planner, stated the project was moved from the original location on 18th Street next to Kids, Inc. after a continuance at the Planning Commission meeting.

Yolanda Coronel addressed Council and stated due to the relocation of the building she did not feel that truck traffic would be a problem in the new location.

Motion by Page, seconded by Miller, to approve Planning Consent Item 8.B. **Motion carried** as follows:

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

- C. **Public Hearing and Consideration of commercial Site Plan approval for office remodeling, located on the northeast corner of W. Edmond Road and State Street (Hi-Tech Plumbing, applicant) Case No. SP040018.**
- D. **Public Hearing and Consideration of commercial Site Plan approval for Joyce's Catering, located on the west side of Littler between Campbell and Hurd Streets (Joyce Wence, applicant) Case No. SP040022.** The new building will contain 1,200 square feet and three diagonal parking spaces in front of the building will be provided. The alley will be paved along the north side of the property and an additional parking space for deliveries will be provided at the back of the building. A small unpaved gap in the alley to the west will remain. The Central Edmond Urban Board suggested the City consider paving the alley, if they have sufficient funds, in order to have a continuously paved alley.

Councilmember Lamb stated the Urban Board felt since it was such a small area, it would be in the City's best interests to pave this small portion of the alley using funds from the Street and Alley Fund.

Jerry Smith, Assistant City Manager for Public Works, addressed Council and stated the City receives approximately \$600,000 each year from the State which is collected from the sale of fuel and car tags. He stated there is a priority list of paving but the paving is usually done by the developers as property is developed. Mr. Smith noted that the City does not have a formal program for paving alleys.

Councilmember Page asked if the adjoining property owner could be assessed the amount needed to pave the alley. He stated due to use of this alley by sanitation trucks, he felt it would be best to pave the alley at this time rather than wait until later to pave it. Councilmember Page stated he preferred to have a program in place that would assess property owners in the future rather than leaving the door open for other citizens to also request that their alley be paved. This matter was discussed and it was determined that the legal procedure required to assess property owners was too lengthy for small projects such as this one.

Councilmember Lamb stated the Urban Board is planning to discuss the alleys which will include a prioritization of those alleys that need improvements.

Motion by Lamb, seconded by Page, to approve Planning Consent Items 8.A., 8.C. and 8.D. **Motion carried** as follows:

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

9. Public Hearing and Consideration of Ordinance No. 2859 amending Edmond Plan III from General Agricultural to Lake Residential Planned Unit Development (PUD) usage, located south of 15th Street, north of 33rd Street (Turner and Company, applicant) Case No. Z040012. The site consists of 320 acres and will be developed as large single family residential lots containing a minimum of 40,000 square feet. The addition will contain a conservation easement containing 98 acres and some additional common areas. The addition will be served with public water system improvements. Septic tanks or aerobic systems will be used by homeowners.

Patrick Myers, representing the applicant, addressed Council and stated the easement is not in place at this time. He stated that Land Legacy in Tulsa will accept the easement and then transfer it to the Edmond Land Conservancy.

Councilmember Lamb stated this type of easement gives the City the opportunity to see some true preservation which is needed as east Edmond begins to develop.

Motion by Page, seconded by Lamb, to approve Ordinance No. 2859 as read by title by City Planner. **Motion carried** as follows:

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

NAYS: None

Motion by Miller, seconded by Page, to attach Emergency Clause to Ordinance No. 2859. **Motion carried** as follows and Ordinance No. 2859 is in effect immediately:

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

NAYS: None

10. Public Hearing and Consideration of Ordinance No. 2860 rezoning from "G-A" General Agricultural District to "L-2" Lake Residential Planned Unit Development (PUD) usage, located south of 15th Street, north of 33rd Street (Turner and Company, applicant) Case No. Z040013. This is a companion to the above item and was discussed at that time.

Motion by Page, seconded by Sanford, to approve Ordinance No. 2860 as read by title by City Planner. **Motion carried** as follows:

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

NAYS: None

11. Public Hearing and Consideration of Ordinance No. 2861 amending Edmond Plan III from Single Family Dwelling to Two Family Dwelling usage, located at 319 E. Thatcher (Larry Dumas, Jr., applicant) Case No. Z040009. The property contains a two-story home and a one-story garage. The applicant plans to remodel a portion of the 9,030 square foot garage into two living units. The site will contain four parking spaces.

Motion by Lamb, seconded by Miller, to approve Ordinance No. 2861 as read by title by City Planner. **Motion carried** as follows:

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

NAYS: None

Motion by Lamb, seconded by Sanford, to attach Emergency Clause to Ordinance No. 2861. **Motion carried** as follows and Ordinance No. 2861 is in effect immediately:

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

NAYS: None

12. Public Hearing and Consideration of Ordinance No. 2862 rezoning from "A" Single Family Dwelling District to "B" Two Family Dwelling District, located at 319 E. Thatcher (Larry Dumas, Jr., applicant) Case No. Z040010. This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Page, to approve Ordinance No. 2862 as read by title by City Planner. **Motion carried** as follows:

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

13. Public Hearing and Consideration of commercial Site Plan approval for Fox Lake Plaza, located west of I-35, 1130 feet north of 15th Street (Frank Battle, applicant) Case No. SP030028. Mayor Naifeh stated this item was continued to July 12, 2004, at the request of the applicant.

14. NEW BUSINESS:

Councilmember Lamb requested direction from Council regarding when to introduce the regional detention project that he has been working on. He asked if Council would prefer to discuss the project prior to receiving funding for the project or after. Consensus of Council was to discuss the project before Councilmember Lamb sought funding from the CIP Committee.

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

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

City Clerk

Mayor