

## EDMOND CITY COUNCIL MINUTES

August 9, 2004

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

**2. Approval of Minutes.** Motion by Miller, seconded by Page, to approve July 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 Special Friends of Edmond.** Mayor Naifeh presented Representative Ray Vaughn and Senator Mark Snyder with plaques for their years of service in the Legislature on behalf of the City of Edmond.
- B. **Report from Senator Mark Snyder, Chairperson of the Mayor's Transportation Task Force.** Mr. Snyder stated the Task Force discussed the effect of future population growth on traffic, railroad crossings, intersections, signalization, north-south thorough-fares and funding methods for the needed improvements. He stated they recommended a long-range study by an outside firm to establish both short and long term solutions for improving traffic flow throughout the City.
- C. **Discussion regarding the three appointments to represent the City of Edmond on the Guthrie/Edmond Regional Airport Advisory Board.** Mayor Naifeh stated several resumes had been submitted to her and she requested that Council review the resumes and notify her of their recommendations.
- D. **City Manager's Monthly Progress Report.** Larry Stevens addressed Council and stated the first phase of the Streetscape project remains on schedule for completion prior to the beginning of the holiday season. He noted the Cross Timbers Municipal Complex is also on schedule to be completed by May 25, 2005. The MAC containing the Senior Center and Parks Administrative offices is on schedule for completion by December 31, 2004. He stated the total cost

of the project is \$5.6 million and is funded by the 1996 and 2000 capital improvement sales tax funds. Mr. Stevens stated the Oklahoma Water Resources Board has scheduled a public hearing for three of the four water system improvements on August 19<sup>th</sup> at 6:30 pm in the Downtown Community Center. These projects will be funded from stated revolving loan funds and revenue bonds. He noted a public hearing for the remaining project for water transmission lines from Oklahoma City to the new northwest complex will be scheduled in approximately six weeks. Mr. Stevens also outlined the Mitch Park football/soccer complex and the renovation of the Bickham Softball complex.

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

- A. **Appointment to the Convention and Tourism Advisory Board.**  
Mayor Naifeh nominated Nancy Busby to serve the unexpired term of Marilyn Kreidler expiring in October, 2004.
- B. **Appointment to the Parks and Recreation Advisory Board.**  
Mayor Naifeh nominated youth member, Rebecca Childers, to serve a one-year term expiring in August, 2005.

Motion by Lamb, seconded by Miller, to approve Items 4.A. and 4.B. **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 construction permits from the Oklahoma Department of Environmental Quality to construct 2<sup>nd</sup> Street Water Booster Pump Station and Water Lines.**

2) **Approval of granting an easement to Oklahoma Natural Gas (ONG) on City property located at I-35 and Covell associated with construction of the Cross Timbers Municipal Complex.**

3) **Acceptance of sanitary sewer easement from John Clement Burdick III and Jane Emily Burdick for the**

**Rolling Creek Sanitary Sewer Improvement project.**

4) **Approval of ground water leases and related easements with annual payments of \$47,135.38 and easement costs of \$29,842.85.**

5) **Public Hearing and Consideration of the FY 2004/2005 Community Development Block Grant (CDBG) Consolidated Annual Action Plan.** Councilmember Sanford noted that the City does not participate in three programs used as guidelines for preparing the Action Plan. She also questioned why the allocations decreased. Council-member Sanford stated under the Affordable and Fair Housing section a report written in 2002 identified six impediments for fair housing in Edmond and she requested an explanation of the impediments.

Shannon Morris, CDBG Coordinator, addressed Council and stated since she is new to the position she has not had adequate time to develop a plan or complete grant applications for those three programs. She stated in the coming year she would be reviewing those three programs as well as the items that were suggested at the CDBG Citizens Participation Committee public input meeting. Ms. Morris stated the U.S. Department of Housing and Urban Development (HUD) establishes the allocations each year according to poverty and population statistics as well as other criteria set by them. She noted that the allocations will change each year as Edmond's demographics change and federal funding is available. Ms. Morris also outlined the new Homebuyer Assistance and Education program. She noted the goal is to assist 14 new homebuyers this fiscal year but that it will be difficult to find that many Edmond citizens who qualify under the CDBG guidelines. Ms. Morris stated the report on affordable and fair housing stated that there needed to be more multi-family and single family affordable housing, single family developments with more affordable housing, fair housing and homebuyer education and anything related to low to moderate income households and housing. She noted that she has received several calls from developers who would like to build affordable housing in the City and she felt that the City needed to research what the housing needs are and how the City can help justify that need.

Councilmember Lamb stated the Action Plan was a very readable and understandable document.

Motion by Lamb, seconded by Miller, to approve General Consent Item 5.A.(5). **Motion carried** as follows:

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

NAYS: None

6) **Approval of transfer of appropriations from escrowed road widening account to the Street and Alley Fund to provide partial funding for construction of alley improvements near Santa Fe and Fretz, south of W. Edmond Road - \$3,500**

7) **Approval of supplemental appropriations for City Council and City Manager's Department - \$14,800**

B. **Approval of Purchases:**

1) **Approval of Change Order No. 3 with Wynn Construction for multiple solutions associated with the Phase I Streetscape project in the amount of \$21,982.**

2) **Approval of Change Order Nos. 12-13 with Timberlake Construction for the Cross Timbers Municipal Complex project in the amount of \$92,877.62.**

3) **Award of bid (including renewal options) for printing services for City of Edmond letterhead, envelopes, business cards, etc. for the various City Departments. Purchasing Manager recommended accepting bid from Southwest Stationers in the annual estimated amount of \$20,000.**

4) **Award of bid for automated side load units (2) for the Fleet Management Department. Purchasing Manager recommended accepting bid from United Engines in the amount of \$357,460.**

5) **Award of bid for a front load unit for the Fleet Management Department. Purchasing Manager recommended accepting bid from United Engines in the amount of \$168,312.**

Mr. Stevens addressed Council and stated late this afternoon staff became aware of a concern from one of the bidders who was not awarded and questioned the bid and he stated that staff would provide the background on their award of the bid.

Clay Coldiron, Public Works Director, addressed Council and stated the bid specifications were very detailed because of the Sanitation Department's need to have high quality equipment that will enable the trucks to service up to 1200 homes each day. He stated on Item B.4 the lift arm reach and lift capacity of the complaining party did not meet the bid specifications. Mr. Coldiron stated on Item B.5 another bidder was \$10,000 lower and did meet specifications but is out of state. He stated although the capital price is lower the long term operating costs will exceed the purchase price of the truck. He noted because the supplier is out of state the department will have to wait over-night on parts which means a longer down time and requires more spare trucks. Mr. Coldiron stated United Engines equipment is also compatible with the current fleet.

Councilmember Miller noted that the vendor who questioned award of the bid was not the low bidder on either piece of equipment.

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

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

6) **Acceptance of roadway easement from Temp-Safe for the Kelly Parkway, 33<sup>rd</sup> to 15<sup>th</sup> Street Improvements projects in the amount of \$108,000.**

Motion by Lamb, seconded by Miller, to approve General Consent Items 5.A.(1-4,6-7) and 5.B.(1-3,6). **Motion carried** as follows:

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

Motion by Page, seconded by Lamb, 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

**8. PLANNING CONSENT ITEMS:**

- A. **Consideration of request for Certificate of Correction of Plat for the Fountain Gate Addition, Section 2, located north of 33<sup>rd</sup> Street, east of I-35 (MGR Engineering, applicant).** The applicant is requesting the Plat be corrected to show that the Fountain Gate Addition, Section 2, has private streets rather than public streets now indicated on the plat.

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

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

- B. **Consideration of request for Certificate of Correction of Plat for the Preserve at Pine Creek, regarding limits of no access, located on the south side of Sorghum Mill Road, west of I-35 (Red Plains Engineering, applicant).** Mark Farris, applicant, addressed Council and requested the Plat be corrected to remove the limits of no access on three lots and allow Lots 4, 5 and 6, on the northeast corner of the property, to share a common drive on Sorghum Mill Road. This will allow a safer access to the properties during all types of weather conditions.

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

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

- 9. Public Hearing and Consideration of commercial Site Plan approval for Fox Lake Plaza, located west of I-35, 1130 feet north of 15<sup>th</sup> Street (Frank Battle, applicant) Case No. SP030028.** Randel Shadid, attorney for the applicant, addressed Council and requested this item be continued to the next meeting in order for their engineer to make sure the drainage calculations are accurate and meet with the City Engineer's approval.

Motion by Lamb, seconded by Miller, to continue Item 9 as requested. **Motion carried** as follows:

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

Mayor Naifeh stated Items 10 through 12 would be discussed at the same time.

**10. Public Hearing and Consideration of amendments to the Hampton Village Planned Unit Development (PUD) Design Statement for property located on the northwest corner of 15<sup>th</sup> Street and Bryant (Ballenger Brothers, LLC, applicant).** The development will be located on 7.32 acres zoned "D-1" Restricted Commercial. The PUD Design Statement was first approved on January 8, 1996, and was later extended on November 13, 2000. The five amendments to the original plan are as follows:

- 1) Three (3) buildings and no additional pad sites
- 2) One phase for all construction
- 3) 62,000 square feet
- 4) Victorian style lights as used at Spring Creek Plaza
- 5) Building style will be Territorial or Victorian which is complimentary to the style used at Spring Creek Plaza

George Winters, Studio Architects, addressed Council representing the applicant. Mr. Winters stated the name of the development has been changed to Spring Creek Village and will contain 14% landscaping and provide a 25 foot buffer on the north side of the property. He stated the dumpsters have been relocated to the back of the building and 248 parking spaces have been provided. Mr. Winters stated evergreen trees will be planted along the north side of the development with additional trees on the corners of the first building. He noted the north elevation of the buildings will be all brick. He stated the three buildings will follow the natural topography of the property and that they will save as many existing trees as possible. The light poles will be in the Victorian style similar to the lights at Spring Creek Plaza. Mr. Winters stated four driveways are provided, one on Bryant and three on 15<sup>th</sup> Street. He noted the Engineering staff recommended the driveway on 15<sup>th</sup> nearest to Bryant be moved west to align with internal driveways on site. This will allow better sight distance on 15<sup>th</sup> Street. He stated a drive along the back of the development will be used for access by the Fire Department and sanitation trucks.

Patsy Frederickson, 1425 Pine Oak Drive in the Oaks Lawn Addition, addressed Council and stated she was not opposed to the proposed development. She requested the square footage be reduced to 55,344 that was approved in 1996. She noted that the

Spring Creek Plaza shopping center is located on 10 acres and the proposed development only contains 7.3 acres.

Councilmember Lamb stated he was on the Council at that time and during discussion of the PUD design he requested that if additional detention was required that a pad site would be used thereby reducing the square footage, but only if the detention could not be accommodated. He noted if there was adequate space for the detention facility, then the square footage would not need to be reduced and would have remained at 62,000 square feet.

Randel Shadid, attorney representing Bill and Ruth Trammel, property owners on the north side of the development, addressed Council in support.

Dan O'Neil addressed Council regarding the height of the wall along the back of the property. He also asked if the wall contained a railing or other protection.

Mr. Winters stated the brick wall will be 8 feet, 6 inches high in the far west corner and the remainder of the wall will be 8 feet, 8 inches high. He stated the wall will also contain a guard rail for protection since this will be a traffic area.

Charles Ballenger addressed Council and stated he wanted to be a good neighbor and construct a development that residents will be happy with. Steve Methany the developer, addressed Council and stated the density is below that of the Spring Creek Plaza.

Motion by Page, seconded by Lamb, to approve Item 10 subject to the following conditions:

- 1) Maximum of 62,000 square feet
- 2) Three buildings only
- 3) One phase of construction
- 4) Comply with Territorial lights and architecture
- 5) Brick veneer on back of buildings and retaining wall

**Motion carried** as follows:

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

**11. Public Hearing and Consideration of commercial Site Plan approval for a shopping center, located on the northwest corner**

**of 15<sup>th</sup> Street and Bryant (Ballenger Brothers, LLC, applicant) Case No. SP040025.** This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Page, to approve Item 11 subject to the same conditions as approved on Item 10. **Motion carried** as follows:

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

NAYS: None

**12. Consideration of Final Plat of Spring Creek Village, located on the northwest corner of 15<sup>th</sup> Street and Bryant (Ballenger Brothers, LLC, applicant) Case No. SP040025.** This is a companion to the above two items and was discussed at that time.

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. Presentation and discussion of regional detention for Central Edmond Urban Development District.** Bret Cabbiness, Smith Roberts Baldischwiler, addressed Council and stated this is an update of a previous study in 1991 of the central district regional detention opportunities. Mr. Cabbiness stated they are proposing a new collection system to replace and upsize the existing system in the downtown area. He stated his research shows that there are benefits to having a regional detention facility in this area. He stated their objective was to design a fully developed basin for the 100 year storm event, provide downstream flood protection as well as erosion control and create a system for storm water to flow under the railroad tracks to the new facility. He recommended constructing a detention pond on five parcels in the undeveloped area between Hurd, Thatcher, the railroad tracks and Fretz encompassing just over 5  $\frac{3}{4}$  acres. He noted the City does own a parcel of land on the east side that the existing drainage system goes through. Mr. Cabbiness stated it would cost approximately \$1.5 million to design and build the detention pond and the railroad crossing and a total of \$4.3 million for the total storm sewer system not including land acquisition.

Councilmember Lamb stated he felt the regional detention facility is valuable because it assists in the urban development of the downtown area including the streetscape project and would address the CBD and 70% of the DRD zoning districts. This particular project will reduce the downstream flow conditions and has capacities to handle storms which exceed the 100 year storm. He stated this area is a significant opportunity to address development in the downtown area and is ideal since the target area does not contain homes or buildings that would need to be removed. He noted regional detention is part of the Council's strategic plan. Councilmember Lamb stated this project will be reviewed by the Stormwater Drainage Advisory Board and the Central Edmond Urban Development Board prior to formal consideration by the Council.

Mayor Naifeh requested that Councilmember Lamb prepare a matrix of upcoming projects and cost estimates recommended by the Central Edmond Urban Development Board to better enable her to understand what their priorities are for the downtown area.

Consensus of Council was to move forward on this project.

**14. Executive Session to discuss the purchase of real property along 2<sup>nd</sup> Street, south of the University of Central Oklahoma (UCO) campus (Executive Session authorized pursuant to 25. Okla. Stat. Section 307(B)(3).**

Motion by Miller, seconded by Page, to meet in Executive Session to discuss the above item. **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 8:03 p.m. and returned to the City Council Chambers at 8:32 p.m.

Motion by Miller, seconded by Lamb, 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 2<sup>nd</sup> Street, south of the University of Central Oklahoma (UCO) campus.** Mayor Naifeh stated no action would be taken on this item.

**16. NEW BUSINESS:**

Mayor Naifeh welcomed Nichole Hubbard to the City staff as the new Administrative Assistant to the Mayor and Council.

**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

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**City Clerk**

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**Mayor**