

EDMOND CITY COUNCIL MINUTES

January 13, 2003

Mayor Saundra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, January 13, 2003, in the City Council Chambers. Councilmember Miller was absent.

2. Approval of Minutes. Motion by Rice, seconded by Lamb, to approve December 19, 2002, Minutes. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox
and Lamb
NAYS: None

3. City Council Presentations:

A. Presentation of "Quarter of a Century of Services" Awards to the following:

- 1) David Barnes
- 2) Lloyd Fitzgerald
- 3) Gil Harryman
- 4) Cleo Land
- 5) Terri McKay

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

A. Approval of Administrative Items:

1) Acceptance of waterline easements from Pete Reeser Properties, Inc. and Pitkin Investment Corporation for the Evergreen Street Waterline Improvements Project.

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

- a) Belmont Landing and Belmont Village
- b) Cedar Pointe - 1800 Del Simon Drive

3) Approval of supplemental appropriations - Schoolhouse Preservation Fund - \$40.78

4) Approval of supplemental appropriations and

transfer of funds from the Fire Public Safety Limited Tax Fund to the Fleet Maintenance Fund for the purchase of Fire Department vehicles - \$50,272

5) Approval of amendment to the Consolidated One-Year Action Plan for FY 2002 and transfer of appropriations from the Edmond Economic Development Authority Revolving Loan to the Housing Rehabilitation Program as part of the Community Development Block Grant (CDBG) program in the amount of \$80,000. Staff requested this item be continued to February 24, 2003.

6) Approval of supplemental appropriations of a Federal Emergency Management Agency grant and matching funds for the Fire Public Safety Limited Tax Fund in the amount of \$85,700.

7) Approval of agreement with the Oklahoma Department of Public Safety for leasing approximately 1800 square feet of office space in the Downtown Community Center. Karen Gentry, representing the Oklahoma Department of Public Safety, addressed Council and thanked them for their participation in this agreement.

Motion by Lamb, seconded by Rice, to approve General Consent Item 4.A.(7). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb

NAYS: None

8) Approval of changes to the Mathis Brothers Skate park rules and regulations, and replacement/modifications of existing signs in the amount of \$250.

9) Discussion and consideration to name the Edmond Roundup Club Arena in honor of Mr. Carl Benne. Bill Pickle, President of the Round Up Club, addressed Council and stated Mr. Benne has been involved in the Round Up Club since the arena was constructed in the 1960s. Mr. Pickle stated Mr. Benne will continue to be involved with the Round Up Club.

Motion by Knox, seconded by Lamb, to approve General Consent Item 4.A.(9). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox
and Lamb
NAYS: None

**10) Consideration of approval of Resolution No. 01-03
adopting revised Electric rate structures for R-1, GS-
1, GS-TOU, PL-1, PL-TOU, LPL-1, LPL-TOU categories.**

Motion by Lamb, seconded by Rice, to approve General
Consent Items 4.A.(1-4,6,8,10) and continue Item 4.A.(5) to
February 24, 2003. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox
and Lamb
NAYS: None

B. Approval of Purchases:

1) **Award of bid for rehabilitation of residential
structure located at 814 Sunset Drive.** The Citizens
Participation Committee recommended accepting bid from
Sine Construction in the amount of \$27,637.

2) **Approval of Change Order No. 1 with L.G.
Construction for rehabilitation of residential
structure at 515 W. Edmond Road in the amount of \$350.**

3) **Approval of Change Order No. 3 with W.C. Doan
Construction for the Downtown Community Center
renovation project in the amount of \$307.**

4) **Approval of Change Order No. 2 with Allen
Contracting, Inc. for bridge and channel improvements
on Coffee Creek at Air Depot, Covell Road and Midwest
Boulevard in the amount of \$60,615.93.**

5) **Approval of share of costs with Citizen's Bank on
streetscaping at the Citizen's Drive-In Bank addition
in the amount of \$22,491.28.** Councilmember Lamb
stated the Central Edmond Urban Board chose to
participate in three recent projects in the downtown
area in order to get some textured sidewalk and
streetscaping features. He noted the Board has
participated in the Jazz Lab, Jim Case Office on Ayers
and Citizens Bank for a total of approximately
\$46,000. The goal was to get examples of the new

Design Guidelines in the projects streetscapes. He stated the Board is not currently participating in any joint ventures

Motion by Lamb, seconded by Rice, to approve General Consent Item 4.B.(5). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

6) **Approval of Change Order No. 4 with J.L. Walker Construction and transfer of appropriations for the Municipal Court Building renovation project in the amount of \$701.**

Motion by Lamb, seconded by Rice, to approve General Consent Items 4.B.(1-4,6). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

Motion by Rice, 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 Rice, Knox and Lamb
NAYS: None

Councilmember Rice left the City Council Chambers.

8. PLANNING CONSENT ITEMS:

A. **Consideration of Preliminary Plat of Fountain Gate Addition, Section Two, located north of 33rd Street, east of I-35 (Richard Steppco Construction Co., LLC, applicant) Case No. PR020038.**

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

AYES: Mayor Naifeh, Councilmembers Knox and Lamb
NAYS: None

Councilmember Rice returned to the City Council Chambers.

9. **Public Hearing and Consideration of Ordinance No. 2768 rezoning from "A" Single Family Dwelling District to "D-1" Restricted Commercial District, located south of 2nd Street, west of the Ramada Inn (KMO Development, applicant) Case No. Z0020068.** The amendment to the Edmond Plan III was approved on November 25, 2002, and the rezoning application was continued for 30 days.

Motion by Rice, seconded by Knox, to approve Ordinance No. 2768 as read by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

10. **Consideration of Final Plat of the Second Street Addition, located west of the Ramada Inn on the south side of 2nd Street (KMO Development, applicant) Case No. PR020030.** The parcel contains 5.138 acres and is platted as one lot and one block.

Motion by Knox, seconded by Rice, to approve Item 10. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

11. **Consideration of amendment of Final Plat of Asheforde Oaks 10th Addition, located west of Coltrane, north of Covell Road (Tom Vorderlanderwehr, applicant) Case No. PR020010.** This item was continued from December 19, 2002. The applicant was requesting to modify the location of the detention area, shown as Common Area B, by moving it to the north adjacent to the floodplain between Asheforde Oaks and Steeplechase Additions. The original common area would be platted into five single family lots. Councilmember Knox noted this item was continued due to requests from several area homeowners. He stated he had not heard from any of those homeowners and assumed that all the problems were resolved.

Lax Godhania, engineer representing the applicant, addressed Council and stated they have amended the amount of platted lots in the common area from five to three.

Motion by Knox, seconded by Rice, to approve Item 11. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox
and Lamb

NAYS: None

12. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Suburban Office to Suburban Office Planned Unit Development (PUD), located on the northwest corner of Locust Lane and Bryant Avenue (Keas Plaza, applicant) Case No. Z0020064 (Continued at the request of the applicant until January 27, 2003).

13. Public Hearing and Consideration of Ordinance rezoning from "D-O" Suburban Office to "D-O" Suburban Office Planned Unit Development (PUD), located on the northwest corner of Locust Lane and Bryant Avenue (Keas Plaza, applicant) Case No. Z0020065 (Continued at the request of the applicant until January 27, 2003).

14. Consideration of amendment of commercial Site Plan approval regarding private driveway and parking surfacing to allow Gravelpave rather than sealed surface material for a house conversion to office, located at 1801 S.E. 15th Street (Mary Houser, applicant) Case No. SP020033. The applicant is requesting approval to use a new substance known as Gravelpave rather than the asphalt or concrete required for driveways and parking lots. The alignment of the driveway would remain the same as originally approved.

Councilmember Lamb stated the diagnostic report of Title 22 contains a provision recommending that Council and staff look at alternative permeable material for overflow parking in order to reduce the demands on stormwater detention. He stated he felt this was the perfect location to test the new material.

Larry Perdue, nearby property owner, addressed Council and asked if the applicant will be required to replace the soil and pave the parking lot if the Gravelpave does not work. He stated he wanted some recourse to force a correction if the material is not satisfactory.

Bob Schiermeyer, City Planner, stated that all indications are that the material will work as planned. He noted there would be continued inspections to assure compliance with City standards.

Councilmember Knox stated if significant erosion problems occur on the site which effects the City right-of-way, then the City

would revisit this matter in an attempt to find a solution.

Motion by Knox, seconded by Lamb, to approve Item 14. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox
and Lamb
NAYS: None

15. Public Hearing and Consideration of Site Plan approval for a ground sign, located on the northwest corner of Boulevard and E. 2nd Street (Taco Bueno, applicant). The original Site Plan did not contain a ground sign. The proposed sign is 20 feet tall and 74.5 square feet per side. A 75 square foot planting bed will be installed at the base of the sign and the metal pole cover will be 34 inches wide. The proposed sign does meet the landscaping requirements of Title 15, but the site as a whole does not comply with landscaping requirements. The Planning Commission recommended approval and the Central Edmond Urban Board recommended denial.

Ronnie Zwirtz, with Z Signs representing the applicant, addressed Council and urged approval.

Councilmember Knox stated the application is not a variance from City requirements because the Sign Code has been amended since the site was originally developed a number of years ago. He noted the sign became legal when the City defined the sign requirements for the commercial corridor on 2nd Street. Councilmember Knox noted the application is in compliance with City requirements.

Councilmember Lamb stated he is a member of the Central Edmond Urban Board and he voted to deny the application at that meeting. He stated the applicant did not make any attempt to bring the rest of the site into compliance with current City codes, therefore he felt there was no justification to amend the Site Plan.

Motion by Knox, seconded by Rice, to approve Item 15. **Motion was denied** as follows:

AYES: Councilmember Knox
NAYS: Mayor Naifeh, Councilmembers Rice and Lamb

16. Executive Session to discuss the following:

- A. Pending claims/litigation: Hebert vs. City of Edmond; Pearce vs. City of Edmond (Executive Session authorized pursuant to 25 Okla. Stat. Section 307(B)(4).
- B. 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).

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

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

Mayor and Councilmembers recessed to the City Council Conference Room at 6:05 p.m. and returned to the City Council Chambers at 6:27 p.m.

Motion by Rice, seconded by Knox, to adjourn Executive Session. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

17. Consideration of action regarding the pending claims of Heber and Peace vs. City of Edmond.

Motion by Lamb, seconded by Knox, to authorize City Attorney to proceed with settlement negotiations on the Hebert claim. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

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

Motion by Lamb, seconded by Rice, to authorize City Attorney to continue with negotiations to acquire the property. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox and Lamb
NAYS: None

19. NEW BUSINESS:

Councilmember Lamb stated Council will receive a follow up questionnaire regarding the Title 22 diagnostic report requesting direction on policy changes.

Mayor Naifeh requested recommendations from Council regarding a method to establish at least a 20 year master plan in order to meet the City's long term transportation needs.

20. Motion by Lamb, seconded by Knox, to adjourn meeting.
Motion carried as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Knox
and Lamb
NAYS: None

City Clerk

Mayor