

EDMOND CITY COUNCIL MINUTES

February 24, 2003

Mayor Saundra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, February 24, 2003, in the City Council Chambers.

2. Approval of Minutes. Councilmember Lamb requested the Minutes be amended on Item 8.I. from "separation" to "separate". Motion by Lamb, seconded by Miller, to approve February 10, 2003, Minutes as amended. **Motion carried** as follows:

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

3. City Council Presentations:

A. **Announcement of February 24-28, 2003, as Municipal Government Week.**

4. Appointments to Boards and Commissions:

A. **Appointment to the Arts and Humanities Council.** Mayor Naifeh nominated Mallery Nagle for appointment to serve a three-year term expiring February 28, 2006.

B. **Appointment to the Arts and Humanities Council.** Mayor Naifeh nominated Ruth Charnay for appointment to serve a three-year term expiring February 28, 2006.

Motion by Rice, seconded by Lamb, to approve Items 4.A. and 4.B. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, 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 City Manager's Financial Report for the month ending January 31, 2003.**

- 2) Acceptance of City Treasurer's Investment Report for the month ending January 31, 2003.
- 3) Acceptance of utility easement from Henderson Hills Baptist Church.
- 4) Acceptance of public improvements and maintenance bonds for Carriage Park I Addition, located on the north side of Covell Road, east of Kelly Avenue.
- 5) Acceptance of public improvements and maintenance bonds for the following:
 - a) 2000 Phase I Safe Route to School Sidewalk project
 - b) Turn lane at S.E. 23rd Street and Broadway
 - c) Kelly Pointe Technology Park
 - d) Kelly Pointe Office Park
 - e) 1717, 1725, 1733, 1741 S. Fretz Place
- 6) Approval of supplemental appropriations of a FEMA Grant of \$36,344 and matching funds of \$15,576 for the purpose of hazardous materials emergency response trailer and equipment for the total amount of \$51,920.
- 7) Public Hearing and Consideration of a drilling/operations permit for one oil/gas well (Hickman-1), located 2310 feet east of Sooner Road and 380 feet south of Sorghum Mill Road. Steve Murdock, City Attorney, requested this item be continued to March 10, 2003.
- 8) Approval of proposed fee structure for Learn to Swim Program as part of the Parks and Recreation Department.
- 9) Approval of transfer of appropriations - Risk Management Department - \$12,600. Mr. Murdock stated the correct amount should be \$16,869.
- 10) Approval of Resolution No. 03-03 requesting authorization to participate in litigation to support the right of Cities to serve customers as provided in the Oklahoma Constitution.

Motion by Rice, seconded by Knox, to approve General

Consent Items 5.A.(1-6,8-10) and continue Item 5.A.(7) to March 10, 2003. **Motion carried** as follows:

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

B. **Approval of Purchases:**

1) **Approval of bid disposition by the Purchasing Manager for the hazardous material response trailer and accessories for the Fire Department in the amount of \$50,735.**

2) **Award of bid and approval of contract for the Administration Building re-roof project and Resolution No. 04-03 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from Southwest Roofing in the amount of \$63,309.**

3) **Approval of Change Order No. 5 with W.C. Doan Construction for the Downtown Community Center renovation project in the amount of \$320.**

4) **Award of bid for rehabilitation of residential structure located at 714 W. 1st Street. The Citizens Participation Committee recommended accepting bid from L.G. Construction in the amount of \$30,883.**

5) **Approval of Change Order No. 1 with Sine Construction for rehabilitation of residential structure located at 814 Sunset Drive in the amount of \$1,031.**

6) **Approval of disposal of used roof top heat pumps (2) for the Facility Maintenance Department.**

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

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

Motion by Miller, 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, Lamb and Miller
NAYS: None

7. PLANNING CONSENT ITEMS:

- A. Public Hearing and Consideration of commercial Site Plan approval for an addition to the Spring Creek Plaza Shopping Center, located on the northeast corner of 15th Street and Bryant (Terry Zerby, applicant) Case No. SP030001.
- B. Public Hearing and Consideration of Ordinance No. 2773 amending Edmond Plan III from Single Family Dwelling to Single Family Dwelling Planned Unit Development (PUD) usage, located on the southwest corner of Coffee Creek and Kelly (Tim Hughes representing Villas at Hunters Creek, applicant) Case No. Z030003.

Motion by Knox, seconded by Lamb, to approve Ordinance No. 2773 as read by title by City Planner. **Motion carried** as follows:

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

Motion by Lamb, seconded by Miller, to attach Emergency Clause to Ordinance No. 2773. **Motion carried** as follows and Ordinance No. 2773 is in effect immediately:

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

- C. Public Hearing and Consideration of Ordinance No. 2774 rezoning from "A" Single Family Dwelling District to "A" Single Family Dwelling Planned Unit Development (PUD), located on the southwest corner of Coffee Creek and Kelly (Tim Hughes, representing Villas at Hunters Creek, applicant) Case No. Z030003. The site contains 29.29 acres with 87 single family detached units. Parking will not be allowed in the 20 foot wide drives leading to the individual units. Staff recommended that the PUD design statement note that the 20 foot drives will be enforced as fire lanes.

Councilmember Lamb requested that when the Preliminary and Final Plats for this project are submitted that they show the Fire Lanes.

Frank Pierce, consulting engineer, addressed Council and stated the Plats would be amended to include the Fire Lane designations.

Motion by Lamb, seconded by Knox, to approve Ordinance No. 2774 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller

NAYS: None

- D. **Public Hearing and Consideration of Special Use Permit for a duplex in an "E-1" General Commercial District located at 1201 S. Fretz, south of Dennis Street, west of the Best Value convenience store (Nathan Mondal, applicant) Case No. U030001.**

- E. **Public Hearing and Consideration of commercial Site Plan approval for a new building to be located on the north side of Danforth, east of Bryant (MidFirst Bank, applicant) Case No. SP030002.** The building will contain 4,000 square feet and a future second phase will increase the building size to 6,000 square feet. The existing facility will be closed and possibly leased to another business when the new facility is opened. The application proposes 29 parking spaces which is nine spaces more than is required.

Councilmember Lamb noted that City requirements do not allow logos on directional signs and he requested the application be amended to eliminate the logo.

David Payne addressed Council representing the applicant and stated the logo was mistakenly shown on the signs and would be removed.

Mayor Naifeh stated she felt there were too many parking spaces and she requested they eliminate the extra parking spaces. She noted that the Planning Commission suggested the additional parking spaces remain as grass until such time as they were needed.

Mr. Payne stated the volume of growth dictates the number

of parking spaces needed and he felt due to the financial services that were available at the bank, the additional parking spaces were needed. Mr. Payne stated there were four trees in the detention area but that the three cottonwood trees would be eliminated, at the request of area homeowners, and other trees planted to replace them. He stated berms would be created to buffer the parking lot and additional berms could be created if needed. He noted the application was in compliance with the landscaping requirements.

Councilmember Rice stated he was pleased with the project and happy that it meets the neighbors needs.

Councilmember Knox noted the last time this area was discussed the meeting was heavily attended by area residents in opposition to the project proposed at that time. He stated having this project and the site plan for an addition to the Spring Creek Plaza Shopping Center approved without protest on the consent agenda speaks well for the changes that the Council has implemented in the past ten years.

Motion by Lamb, seconded by Knox, to approve Item 7.E.
Motion carried as follows:

AYES: Councilmembers Rice, Knox, Lamb and
Miller

NAYS: Mayor Naifeh

- F. **Public Hearing and Consideration of Ordinance No. 2775 rezoning from "E-1" General Commercial Planned Unit Development (PUD) and "A" Single Family Dwelling District to "E-1" General Commercial Planned Unit Development, located on the southwest corner of Danforth and Kelly (City of Edmond, applicant) Case No. Z030001. The proposed ordinance will correct an error in the original legal description. When the original ordinance was approved on November 13, 1995, it was intended for the entire 39 acres. The error has left part of the property zoned Single Family.**

Councilmember Miller requested the same conditions that were originally approved be in effect with approval of this ordinance.

General discussion was held and Councilmember Lamb noted

that the error was found when the maps were translated to the GIS system. He stated if approval is contingent upon extending the same zoning approved on the larger parcel, all the requirements of the original rezoning application will be included in the proposed rezoning.

Motion by Lamb, seconded by Miller, to approve Ordinance No. 2775 as read by title by City Planner subject to extending the zoning to cover the entire parcel. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller

NAYS: None

- G. Consideration of Final Plat of Bristol Office Park, located on the north side of 33rd Street, east of Lifestyles (Russ and Phil Roberts, applicant) Case No. PR030031.
- H. Public Hearing and Consideration of amendment to the Consolidated One-Year Action Plan for FY 2002 and modification of funding in the amount of \$80,000 from the Edmond Economic Development Authority Revolving Loan to the Housing Rehabilitation Activity in the Community Development Block Grant program (Continued from January 13, 2003, City Council meeting).
- I. Consideration of Site Plan approval for the Edmond Police Firearms Training Center building, located on the north side of Danforth, just under one-half mile east of Midwest Boulevard at the existing firearms training facility at 7707 N.E. Danforth Road (City of Edmond, applicant).

Motion by Lamb, seconded by Miller, to approve Planning Consent Items 7.A., D., G.-I. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller

NAYS: None

- J. Public Hearing and Consideration of a building addition on the east side of the current building using a 19 foot building setback along Boulevard, south of 33rd Street, west of Boulevard at 198 E. 33rd Street (Hobby Lobby, applicant) (Continued to April 14, 2003, at the request of the applicant).

8. Public Hearing and Consideration of Ordinance No. 2776 Amending Chapters 16.04 International Building Code, 2000 Edition; 16.06 International Residential Code, 2000 Edition; 16.08 International Plumbing Code, 2000 Edition, and 16.12 International Fuel and Gas Code of the Edmond Municipal Code, and providing for Repealer and Severability. This item was discussed at the previous meeting.

Councilmember Miller stated he had received several calls regarding Section 1510.4.1 and he felt this section was not common practice.

Ed Steiner, Director of Building Services, addressed Council and stated he had also received calls regarding this section of the ordinance. He stated the wording was not appropriate and he requested this section be eliminated from the ordinance to allow him to work on the wording. Mr. Steiner stated he had not received any other requests for changes from the public.

Motion by Knox, seconded by Lamb, to approve Ordinance No. 2776 as read by title by City Attorney subject to elimination of Section 1510.4.1. **Motion carried** as follows:

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

9. Consideration of approval of Real Estate Purchase Agreement for real property located along 2nd Street, south of the University of Central Oklahoma campus. Mayor Naifeh stated no action would be taken on this item.

10. NEW BUSINESS: None

11. Motion by Knox, seconded by Miller, to adjourn meeting. **Motion carried** as follows:

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

City Clerk Mayor