

EDMOND CITY COUNCIL MINUTES

October 13, 2003

Mayor Sandra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, October 13, 2003, in the City Council Chambers.

2. Approval of Minutes. Motion by Lamb, seconded by Miller, to approve September 22, 2003, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

A. **Presentation to Larry Stevens, City Manager, for 25 years of service to local government by the International City/Council Management Association.**

B. **City Manager's monthly progress report.** Mr. Stevens outlined the status of ten current or pending projects. The report contained three street projects, three water system projects and various other projects including the Cross Timbers Municipal Complex, the trail system in Mitch Park, trolleys and bus shelters and the sidewalk program. Mr. Stevens noted that he will provide an updated report each month of various City projects both ongoing and pending.

C. **Presentation of Master Plan for the 3rd Community Park, located south of 33rd Street and east of Boulevard, by Howard Site Design, Inc.** Scott Fairbairn addressed Council and stated the park consists of 50 acres. He noted the park will not contain a sports complex but will be used primarily for passive recreation. Mr. Fairbairn stated the plan will remodel the existing house into a resource center and parking will be located in several different areas of the park. There will be northern and southern trails which will connect to each other. A playground area, arboretum and small amphitheater are also included in the plan. The existing pond will allow fishing all along the bank and also contain a dock. Mr. Fairbairn stated the project will be completed in seven phases at a cost of approximately \$4

million. He noted the plan was designed to be flexible and the cost will depend on how the park is developed.

4. Appointments to Boards and Commissions:

A. Appointment to the following City Boards and Commissions.
Mayor Naifeh nominated the following youth members:

- 1) Lezlie Carter to the Arts and Humanities Council
- 2) Eli Lessing, Jr. to the Parks and Recreation Advisory Board
- 3) Jordan McGee to the Urban Forestry Commission

Motion by Lamb, seconded by Miller, to approve Items 4.A.(1-3). **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) Approval of electric easement from Aubrey K. McClendon to provide service to Deep Fork Farms Water Well #3, 200 S. Westminster.
- 2) Acceptance of public improvements and maintenance bonds for the following:
 - a) Mathis Skate Park Sports Complex lighting
 - b) Hunters Creek I, Lots 16 and 17
 - c) Edmond North High School
- 3) Acceptance of roadway easement from Kelly Center, LLC for the 7th and Kelly Intersection project.
- 4) Acceptance of storm drain and electric utility easements from Gary and Mary Ellen Bridwell.
- 5) Acceptance of construction permits for water lines to serve the Lakes at Bridgewater Addition and the Chapel Ridge Apartments from the Oklahoma Department of Environmental Quality. Councilmember

Miller noted this item should be amended to Crown Ridge Apartments.

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

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

6) **Acceptance of Final Plat, public improvements and maintenance bonds for the following:**

- a) Stonebrook II
- b) Bristol Office Park

7) **Approval of Resolution No. 26-03 and agreement with the Oklahoma Department of Transportation for both the Boulevard widening (Danforth to 0.25 miles north of Covell) and the Covell widening (Thomas to Broadway) projects for purposes of acquiring right-of-way.**

8) **Approval of Resolution No. 27-03 and agreement with the Oklahoma Department of Transportation for both the Boulevard widening (Danforth to 0.25 north of Covell) and the Covell widening (Thomas to Broadway) project for the purposes of utility relocations.**

- 9) **Approval of agreement with The Sports Group, Inc. (The Miracle League) for use of Mitch Park Field No. 6 for the purpose of creating a ball field for persons with special needs.** The construction and maintenance costs for the field will be the responsibility of The Sports Group and The Miracle League. The Parks and Recreation Department will pay for the utilities which is the same type of agreement that the City has with other sports groups who use City ball fields.

Councilmember Page commended everyone involved in this project. He noted that Troy Powell, Interim Parks and Recreation Director, also worked very hard on this project.

Greg and Margot Price addressed Council and explained their program. Both expressed their thanks to the City Council, the Parks and Recreation Advisory Board

and staff for their assistance. Also in attendance was Katrina Shaklee, Executive Director of The Sports Group, Inc.

Motion by Lamb, seconded by Page, to approve General Consent Item 5.A.(9). **Motion carried** as follows:

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

10) **Approval of supplemental appropriations - Downtown Community Center - \$4,435**

11) **Approval of supplemental appropriations - Community Development Block Grant program Consolidated One-Year Action Plan for FY 2003 - \$300,000**

12) **Approval of supplemental appropriations - Police Safety Limited Tax Fund and Fleet Management Fund - \$29,826**

13) **Approval of contract with the Oklahoma City/County Health Department to provide a free workshop series for the Senior Center.**

Motion by Lamb, seconded by Page, to approve General Consent Items 5.A.(1-4,6-8,10-13). **Motion carried** as follows:

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

B. Approval of Purchases:

1) **Approval of bid disposition by the Purchasing Manager:**

a) H.D. Industries - pothole patcher for the Fleet Management Department in the amount of \$88,838.

2) **Approval of engineering design contract with Red Plains Professional for the water line improvements project in the amount of \$106,947.**

3) **Approval of Change Order No. 2 with W.C. Doan**

Construction Company and transfer of appropriations for the Downtown Community Center Phase 3 renovation project in the amount of \$2,480.

4) Approval of contract with Lippert Bros., Inc. for withdrawal of payment retainage for construction of the MAC in Mitch Park.

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

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

6. Approval of Tort Claim Committee's recommendations on Tort Claims.

<u>CLAIM NUMBER</u>		<u>RECOMMENDATION</u>
24-0004	Electric Department	Pay - \$652.46
23-0050	Sanitation Department	Pay - \$ 75.00

Motion by Miller, seconded by Lamb, 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. **Public Hearing and Consideration of commercial Site Plan approval for the Bryant Plaza Office, located at 301 N. Bryant, south of Ayers, west of Bryant (Dennis Chaumont, applicant) Case No. SP030027.** The building contains 5,412 square feet on .475 acres.

Motion by Lamb, seconded by Miller, to approve Planning Consent Item 9.A. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,

Sanford, Lamb and Miller
NAYS: None

- B. **Public Hearing and Consideration of commercial Site Plan approval for an office building in the Villages of Stonebridge, located south of 33rd Street, west side of Boulevard (Derek Turner, applicant) Case No. SP030002.** The property will be used for a dermatology office. The building will contain 5,200 square feet.

Councilmember Page requested the pole lights on the sensitive border side be pointed downwards and the height be reduced to 12 feet.

Derek Turner addressed Council and agreed to Councilmember Page's request.

Motion by Page, seconded by Miller, to approve Planning Consent Item 9.B. subject to 12 foot light poles on the sensitive border side of the development. **Motion carried** as follows:

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

- 10. Public Hearing and Consideration of a building addition on the east side of a current commercial building using a 19 foot setback along Boulevard, located south of 33rd Street, west of Boulevard, 198 E. 33rd Street (Hobby Lobby, applicant) Case No. AP030002. (Withdrawn by applicant).**

- 11. Discussion of proposed ordinance related to land disturbance, earth change, tree protection and preservation.** Mayor Naifeh stated she wanted to open dialog between Councilmembers and the public regarding the proposed changes. She noted the items covered by the proposed ordinance are part of Title 23 of the Edmond Municipal Code.

Councilmember Miller requested paragraph six of Section 2 - Definitions be amended from "trees" to "existing vegetation" since he felt that removing the ground cover is more damaging than removing trees. He also stated he was opposed to charging a fee for an earth change permit.

Councilmember Lamb stated he felt the ordinance should be clearer on the techniques and technologies for erosion control. He stated this ordinance was originally part of Title 22 but the Steering Committee had recommended it be part of Title 23 where the erosion control requirements already reside.

General discussion was held and staff offered explanations regarding several sections of the ordinance. General consensus of Council was that Section 10(e) regarding the appeals process to the City Council be eliminated. The Council felt that the Stormwater Advisory Board should have the authority to make final decisions due to the expertise of the Board members.

Councilmember Lamb stated the Stormwater Advisory Board will review the ordinance at their next meeting.

Mayor Naifeh noted that most of what the ordinance contains is already being done but that the ordinance requires that it be done earlier than in the past. She noted that most property owners who are developing their land should already have erosion controls provided and the ordinance would not be an additional burden to what is already being done.

12. Executive Session to discuss the purchase of real property located on E. 2nd Street, east of Rocky Road; and Executive Session to discuss purchase of real property located along E. 2nd Street, south of the University of Central Oklahoma campus (Executive Session authorized pursuant to 25. Okla. Stat. Section 307 (B)(3).

13. Executive Session to discuss the following pending claim: (Executive Session authorized pursuant to 25. Okla. Stat. Section 307 (B)(4).

Vaughn vs. City Of Edmond

Motion by Miller, seconded by Page, to meet in Executive Session to discuss the above items. **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 7:00 p.m. and returned to the City Council Chambers at 7:13 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

14. Consideration of action regarding the purchase of real property located on E. 2nd Street, east of Rocky Road.

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

Motion by Miller, seconded by Page, to authorize City Attorney to continue negotiations on Items 14 and 15. **Motion carried** as follows:

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

16. Consideration of action regarding the pending claim of Vaughn vs. City of Edmond.

Motion by Lamb, seconded by Sanford, to authorize City Attorney to proceed with settlement. **Motion carried** as follows:

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

17. **NEW BUSINESS:** None

18. Motion by Lamb, seconded by Miller, to adjourn meeting. **Motion carried** as follows:

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

City Clerk

Mayor