

EDMOND CITY COUNCIL MINUTES

March 25, 2002

Mayor Sandra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, March 25, 2002, in the City Council Chambers.

Mayor Naifeh presented a plaque to Jerry Smith in appreciation for his service the past several months as Interim City Manager.

2. Approval of Minutes. Motion by Miller, seconded by Rice, to approve March 11, 2002, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

- A. Presentation of proclamation observing March 23-30, 2002, as "ARBOR WEEK" in the City of Edmond.
- B. Presentation by The National Arbor Day Foundation to the City of Edmond for achievement of TREE CITY USA designation, and a Growth Award to Edmond Electric for achievement of TREE LINE USA designation.
- C. Presentation of the first Edmond Tree Friend Award to David Bickham.
- D. Presentation of proclamation proclaiming the month of April as "ORGAN AND TISSUE DONOR AWARENESS MONTH" in the City of Edmond.

4. Appointments to Boards and Commissions:

- A. **Appointment to the Capital Projects Finance Task Force.** Mayor Naifeh nominated Ruth Boss to replace Bob Turner.

Motion by Rice, seconded by Knox, to approve Item 4.A. **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 month ending February 28, 2002.**
- 2) **Acceptance of City Treasurer's Investment Report for month ending February 28, 2002.**
- 3) **Approval of Resolution No. 06-02 establishing Youth Members for certain Boards and Commissions.** Jeff McBride, Edmond North High School, and Chelsea Orza, Memorial High School, addressed Council and urged approval.

Motion by Lamb, seconded by Miller, to approve General Consent Item 5.A.(3). **Motion carried** as follows:

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

- 4) **Approval of the following easements:**
 - a) electric easement to serve Kickingbird Apartments - 1700 Kickingbird Road
 - b) electric easement to serve Kickingbird Hills Apartments, 1900 Kickingbird Road
- 5) **Approval of agreement for contract services between the Edmond Fire Department and Lake Hiwassee Improvement Company.**
- 6) **Acceptance of public improvements and maintenance bonds for the following:**
 - a) Tractor Supply
 - b) Special Services Center
 - c) UCO Jazz Lab
 - d) LeCour Building
 - e) St. John the Baptist Catholic Church
 - f) UCO Residence Hall
- 7) **Approval of Community Development Block Grant**

(CDBG) emergency rehabilitation bidding policy and amounts to coincide with the City of Edmond's purchasing policies effective November 14, 2001.

8) Public Hearing and Consideration of approval of FY 2000/2001 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant (CDBG) program.

9) Approval of supplemental appropriations for Local Law Enforcement Block Grant fund and Police Safety Tax fund in the amount of \$2,517.00.

Motion by Miller, seconded by Rice, to approve General Consent Items 5.A.(1-2,4-9). **Motion carried** as follows:

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

B. Approval of Purchases:

1) Approval of agreement with the City of Oklahoma City for bridge replacement on East 15th Street, 0.6 miles west of Choctaw Road in the amount of \$55,000, as recommended by the Public Works Committee.

2) Approval of the following Change Orders for the Bank One renovation project:

- a) Construction Building Specialties [\$950]
- b) Hansen Millwork & Trim, Inc. [\$7,290]
- c) Pinnacle Electric, Inc. [\$1,455]
- d) Nemecek Interior Construction Co. \$3,584
- e) Hunter Mechanical & Controls, Inc. \$3,112
- f) J.D.'s Painting & Wallcoverings \$1,599
- g) Allen's Floor Systems, Inc. \$1,931

3) Approval of supplemental appropriations for ice storm debris removal from the undesignated fund

balance to the Street Department - \$80,750

4) Approval of Interlocal agreements with Oklahoma County Commissioners, District No. 3, in the amount of \$375,000 to improve Covell Road from Air Depot to Midwest Boulevard.

5) Award of bid for Police issue pistols and magazines for the YourGovShop member participants in the annual estimated amount of \$50,000.

6) Acceptance of Request for Proposals and approval of contract for Financial Services Software. Purchasing Manager recommended accepting proposal from SunGard Bi-Tech in an amount not to exceed \$990,000.

7) Award of bid to L.G. Construction for rehabilitation of residential structure at 207 Benton Road in the amount of \$28,677 as part of the Community Development Block Grant (CDBG) program.

8) Approval of Change Order No. 1 for rehabilitation of residential structure at 220 W. 8th Street in the amount of \$150 as part of the Community Development Block Grant (CDBG) program.

9) Approval of Change Order No. 2 for rehabilitation of residential structure at 100 W. 6th Street in the amount of \$615 as part of the Community Development Block Grant (CDBG) program.

10) Approval of Change Order No. 2 with W.L. McNatt for Pelican Bay Aquatic Center construction project and supplemental appropriations from 1/8 cent Parks Tax Fund in the amount of \$27,318.28.

Motion by Lamb, seconded by Miller, to approve General Consent Items 5.B.(1-10). **Motion carried** as follows:

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

Motion by Lamb, seconded by Rice, 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

9. PLANNING CONSENT ITEMS:

- A. Acceptance of public improvements, subdivision bond and maintenance bonds for Mill Creek Addition, located 290 feet east of Santa Fe, north of Mill Valley Boulevard (John Alexander, applicant).
- B. Consideration of City Council workshop scheduled on April 2, 2002, beginning at 8:00 a.m. to interview consultants answering the Request for Proposals for the zoning ordinance site plan study.

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

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

10. Public Hearing and Consideration of Special Use Permit for a church, located at 801 Centennial Boulevard, 200 feet east of Kelley, on the north side of Centennial Boulevard (Judah Christian Assembly Church, applicant). An existing building will be used as the church facility. A new parking lot will be located on a vacant area immediately north of the building and 40 additional spaces will be added to the northeast of the building.

Harold Roberts, representing the applicant, addressed Council and stated they were requesting a temporary permit only. He stated the applicant plans to construct a new facility and are in the process of looking for a new site. Mr. Roberts requested approval for 36 months in order to allow them time to construct the new church facility. He stated the building would be used on Wednesday and Sunday evenings and Sunday mornings.

Councilmember Knox stated this application was previously denied on February 11th. He stated he had not changed his view on this matter and he still felt that this type of usage is not appropriate in an industrial park.

Councilmember Rice stated he felt the application was reasonable and that normal church hours would not increase traffic during working hours.

Motion by Rice, seconded by Lamb, to approve Special Use Permit for a maximum of 36 months. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice, Lamb and Miller

NAYS: Councilmember Knox

11. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Office Commercial to Restricted Commercial Planned Unit Development (PUD) usage, located west of Bryant, south of LeCour Office Park (Kerr 3 Design Group, Inc., applicant). Randel Shadid, attorney representing the applicant, addressed Council and requested this item be withdrawn.

12. Public Hearing and Consideration of Ordinance rezoning from "D-3" Office Commercial District to "D-1" Restricted Commercial Planned Unit Development (PUD) District, located west of Bryant, south of LeCour Office Park (Kerr 3 Design Group, Inc., applicant). This a companion to the above item and was also withdrawn.

13. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Suburban Office to Medium Density Residential Planned Unit Development (PUD) usage, located west of Bryant, south of LeCour Office Park (Kerr 3 Design Group, Inc., applicant).

14. Public Hearing and Consideration of Ordinance rezoning from "D-0" Suburban Office District to "C-2" Medium Density Residential Planned Unit Development (PUD) District, located west of Bryant, south of LeCour Office Park (Kerr 3 Design Group, Inc., applicant).

15. Public Hearing and Consideration of Ordinance rezoning from "D-0" Suburban Office District to "D-3" Office Commercial Planned Unit Development (PUD) District, located west of Bryant, south of LeCour Office Park (Kerr 3 Design Group, Inc., applicant).

Councilmember Rice noted that a Plan amendment did not accompany Item 15. He stated a Plan amendment is required prior to approving a rezoning request. He stated since the above three items are companion items he would prefer to consider them all together.

Randel Shadid, attorney representing the applicant, addressed Council and stated although the property will only be used for one purpose, he preferred to present the three items all at the

same time. He requested Items 13, 14 and 15 be continued.

Bob Schiermeyer, City Planner, stated new notices will need to be published prior to consideration by Council.

Motion by Lamb, seconded by Miller, to continue Items 13, 14 and 15 indefinitely. **Motion carried** as follows:

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

16. Consideration of request to amend the Final Plat of Creek Bend II and to authorize closing of Honey Creek Drive with agreement between Creek Bend, LLC and Richard and Jane O'Brien (Bud Bartley, representing Creek Bend LLC., applicant).

Motion by Miller, seconded by Lamb, to approve Item 16. **Motion carried** as follows:

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

17. Executive Session to discuss the following items:

- a) Purchase of real property located near 33rd Street and Boulevard (Executive Session authorized pursuant to 25 Okla. Stat. Section 307 (B)(3))
- b) Pending claim/litigation: Robert vs. City of Edmond (Executive Session authorized pursuant to 25 Okla. Stat. Section 307 (B)(4))

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

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

Mayor and Councilmembers recessed to the City Council Conference Room at 6:25 p.m. and returned to the City Council Chambers at 7:10 p.m.

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

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

18. Consideration of action regarding purchase of real property located near 33rd Street and Boulevard.

Motion by Lamb, seconded by Miller, to authorize City Attorney to negotiate a purchase agreement not to exceed \$950,000 on approximately 47 acres to include access to Boulevard. **Motion carried** as follows:

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

19. Consideration of action regarding the above pending claim/litigation.

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

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

20. NEW BUSINESS:

Councilmember Rice requested the ordinances regarding use of lights for decorative and advertising purposes be reviewed.

Duane Chambers, President Elect of Steeplechase Addition Homeowners Association, addressed Council to clarify their position regarding the Association's decision not to contribute funds for the creek bank stabilization project discussed at the last meeting.

Councilmember Knox requested the ordinance language regarding membership terms of Boards and Commissions be rewritten to allow for revolving terms. He stated this will allow more citizens to become involved and be appointed to the different boards and commissions.

Councilmember Lamb announced the Urban Forestry Commission recognized there would be planting of **[Amended 4/8/2002]** 207 new trees this week in honor of Arbor Week.

21. Motion by Miller, seconded by Rice, to adjourn meeting.
Motion carried as follows:

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

City Clerk

Mayor