

**EDMOND CITY COUNCIL MINUTES**

September 23, 2002

Mayor Sandra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, September 23, 2002, in the City Council Chambers.

**2. Approval of Minutes.** Motion by Knox, seconded by Lamb, to approve September 9, 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 declaring October 6-12, 2002, as "PUBLIC POWER WEEK" in the City of Edmond.**
- B. **Presentation of proclamation declaring October 10, 2002, as "PUT THE BRAKES ON FATALITIES DAY" in the City of Edmond.**

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

- A. **Appointment to the Edmond Parks and Recreation Board.** Mayor Naifeh nominated Dr. Cynthia Rolfe for appointment to serve a term expiring in July, 2005.
- B. **Appointment to the Edmond Historic Preservation Trust.** Mayor Naifeh nominated Beth Henry for appointment to serve a term expiring on January 1, 2004.

Motion by Rice, seconded by Miller, 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**

month ending August 31, 2002.

2) Acceptance of City Treasurer's Investment Report for month ending August 31, 2002.

3) Acceptance of electric easement from Redmont Trace LLC to serve the City of Edmond water well No. 61.

4) Acceptance of utility easement from McKean-Bell Development, LLC to serve Cedar Pointe IV residential development.

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

- a) State Street Extension - between Edmond Road and 7<sup>th</sup> Street
- b) Asheforde Oaks 9<sup>th</sup> Addition

6) Acceptance of Final Plat, public improvements and maintenance bonds for Edmond Senior Residences.

7) Approval of transfer of appropriations - Administrative Services Department - \$2,500

8) Approval of disposal of used vehicles and equipment for the Fleet Management Department.

9) Consideration of request from Jim and Mary White to accept donation to the City of Edmond of bronze art in downtown area.

10) Approval of right-of-way use agreement with Citizens Bank of Edmond.

11) Approval of agreement with the Oklahoma Department of Transportation for Mitch Park/Coffee Creek Trail in the amount of \$139,625.

12) Approval of renewal of agreement with Edmond All Sports, Inc., (EASI) for operation of youth sports program. Councilmember Knox stated he had received only favorable comments regarding the current operations of the sports program by EASI. He requested the City work with the EASI in an attempt to make them more self sufficient. He noted the City

Parks Department maintains the fields and also pays for the purchase of some supplies and he requested the EASI work towards assuming those responsibilities in the future.

Darrell Davis, President of the Parks and Recreation Advisory Board, addressed Council and stated he felt the EASI will eventually be in a position that will enable them to gradually assume maintenance responsibilities for the ball fields. He stated each Board member was requested to query those involved with youth sports regarding their feelings about the EASI. Mr. Davis stated the majority of the feedback was positive.

Motion by Lamb, seconded by Miller, to approve General Consent Item 5.A.(12). **Motion carried** as follows:

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

**13) Approval of renewal of annual sub-recipient agreements between the City of Edmond and the following as part of the Community Development Block Grant (CDBG) program:**

- a) Edmond Economic Development Authority
- b) Central Oklahoma Transportation and Parking Authority "Share-A-Fair" program - \$1,500
- c) The Hope Center of Edmond "Back-to-School" program - \$6,000
- d) The Hope Center of Edmond "Bus Ticket" program - \$2,000
- e) U R Special Ministries, Inc. - \$33,150
- f) The Metropolitan Fair Housing Council - \$16,500
- g) Michael J. Wolf, Housing Rehabilitation Specialist - \$50 per hour

**14) Approval of sub-recipient agreement with the Hope Center of Edmond "Medical Services" public service grant as part of the Community Development Block Grant (CDBG) program in the amount of \$10,000.**

Motion by Lamb, seconded by Miller, to approve General Consent Items 5.A.(1-11,13-14). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,

Knox, Lamb and Miller  
NAYS: None

15) **Public Hearing and Consideration of Ordinance providing for Ward re-apportionment for the City of Edmond.** Mayor Naifeh stated the ordinance must be published in the newspaper 30 days prior to consideration by Council in order to comply with state law. She noted formal consideration would be on the October 28, 2002, agenda. Mayor Naifeh stated that Kay Bickham and her committee recommended either Option A or B.

General discussion was held and consensus of Council was to consider Option B at the October 28<sup>th</sup> meeting.

**B. Approval of Purchases:**

1) **Approval of Change Order No. 3 with L.G. Construction Company for rehabilitation of residential structure located at 313 Meadow Lake Drive in the amount of \$158 as part of the Community Development Block Grant (CDBG) program.**

2) **Award of bid for rehabilitation of residential structure located at 1029 E. Campbell.** The Citizen's Participation Committee recommended accepting bid from Sine Construction in the amount of \$24,295.

3) **Award of bid for rehabilitation of residential structure located at 515 W. Edmond Road.** The Citizen's Participation Committee recommended accepting bid from L.G. Construction in the amount of \$33,500.

4) **Approval to purchase police car video systems from Mobile Vision In-Car Video Systems as a sole source vendor in the amount of \$145,000.**

5) **Approval of Resolution No. 44-02 to program a Transportation project on Kelly, from 33<sup>rd</sup> Street to 15<sup>th</sup> Street in the amount of \$2,462,775.**

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

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

**6. Approval of Tort Claim Committee's recommendation on Tort Claim.**

<u>CLAIM NUMBER</u>	<u>RECOMMENDATION</u>
22-0064	Deny - \$300.00
22-0065 Utility Billing Department	Deny - \$306.50
22-0067 Street Department	Deny - \$862.00

Billy Horton addressed Council on Tort Claim No. 22-0067. He stated he was southbound in his motorized wheelchair and tried to avoid a large rock in the roadway but instead he hit a pothole and overturned his wheelchair. He stated he was in the roadway due to the construction on the sidewalk. Mr. Horton stated his wheelchair was damaged and he requested the City's assistance in getting the chair repaired.

Steve Murdock, City Attorney, addressed Council and stated the work site was under construction by a private contractor working on driveway and parking lot improvements for property owners. No City crews were working at this site. Mr. Murdock stated he would contact the private contractor and research this matter further in an attempt to work out a solution.

Motion by Knox, seconded by Lamb, to approve Tort Claim Committee's recommendations on Tort Claim Nos. 22-0064 and 22-0065 and to continue Tort Claim No. 22-0067 to the next meeting. **Motion carried** as follows:

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

**10. PLANNING CONSENT ITEMS:**

**A. Consideration of Final Plat of The Ranch Addition, located north of Coffee Creek Road, north of Steeplechase, just**

over one-fourth mile west of Coltrane (John Preston, applicant) Case No. PR020017. The first phase of the addition will contain 23 lots on 10.85 acres. The addition will be gated with private streets.

Councilmember Lamb asked about the location of the trails. He noted the applicant had changed from a trail system on the rear of the lots to a sidewalk system on the front.

Mayor Naifeh stated she really preferred the trail system rather than sidewalks and asked the applicant his reason for changing.

Adam Kemmerly addressed Council representing the applicant and stated after consulting with various builders they determined that people really do not like to have a trail in their backyards. He stated they had contacted Steve Ancik and requested his assistance to develop a better trail system.

General discussion was held regarding the five acre tract along Coffee Creek that was not included in the Preliminary Plat. The Council requested "limits of no access" be placed on the five acre tract at the time the preliminary plat was approved. Councilmember Rice stated he recalled that the applicant agreed to place deed restrictions on the five acre tract along Coffee Creek and he asked if the deed restrictions had been filed.

John Preston addressed Council and stated it was his understanding that they could wait until the five acres was platted before they placed the deed restrictions on the property. Mr. Preston stated when that tract is developed, they will either widen Coffee Creek or pay a fee in lieu of widening. He stated they were waiting until the existing pipeline easement has been released before developing the tract. Mr. Preston also noted that he was opposed to any access onto Coffee Creek from this tract and that deed restrictions would be placed on the five acre tract to eliminate any access onto Coffee Creek.

Motion by Rice, seconded by Lamb, to approve Planning Consent Item 10.A. as presented. **Motion carried** as follows:

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

NAYS: None

- B. **Public Hearing and Consideration of Special Use Permit for a cellular tower to be located on the south side of Edwards Street, west of Broadway, east of the Burlington Northern Santa Fe Railroad (Cingular Wireless, applicant) Case No. U020005.**
- C. **Consideration of Final Plat of Villas II-B at Coffee Creek, located west of N. Boulevard, approximately one-fourth mile north of Covell Road (Bob Turner, applicant) Case No. PR020016.**
- D. **Consideration of Final Plat of The Gardens of Fairfax II, located east of Coltrane, approximately one-half mile north of Covell Road (Earnest Isch, applicant) Case No. PR020021.**

Motion by Knox, seconded by Lamb, to approve Planning Consent Item 10.D. **Motion carried** as follows:

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

NAYS: None

- E. **Consideration of Final Plat of Houser Station, located at 1801 S.E. 15<sup>th</sup> Street (Mary Houser, applicant) Case No. PR020020.**
- F. **Consideration of transfer of 1984 Edmond Plan Map to the Edmond Historical Society.**

Motion by Lamb, seconded by Miller, to approve Planning Consent Items 10.B.,C.,E. and F. **Motion carried** as follows:

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

NAYS: None

- 11. **Public Hearing and Consideration of Ordinance No. 2720 identifying Zone 1 and Zone 2 areas to provide for major street/section line road and sidewalk improvements as an amendment to Edmond Plan III and implementation of requirements for Title 21 Subdivisions.** The proposed ordinance provides a description of Zone 1 and Zone 2 to determine where developers will have to widen the section line roads for all additions and where sidewalks will be required along those section line roads. Adoption of the ordinance will complete the implementation of Title 21 Subdivisions.

Mayor Naifeh stated she felt that Kelly should be four-laned all the way to the City limits.

Councilmember Lamb stated at this time City staff does not have any guidance regarding the Zone 1 and 2 area

designations for Title 21 processing. He stated the 2025 OCARTS Plan was chosen as a baseline to make these initial designations and the zones can be extended in the future as needed.

Motion by Knox, seconded by Lamb, to approve Ordinance No. 2720 as read by title by City Planner. **Motion carried** as follows:

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

**12. Executive Session to discuss the following:**

- a) **Pending claim/litigation: Pearce vs. City of Edmond; Stoy vs. City of Edmond; Pratt vs. City of Edmond (Executive Session authorized pursuant to 25 Okla. Stat. Section 307 (B)(4))**

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

Motion by Rice, seconded by Knox, to meet in Executive Session to discuss Items 12 and 13. **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 6:30 p.m. and returned to the City Council Chambers at 6:58 p.m.

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

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

**14. Consideration of action regarding the pending claims of Pearce, Stoy and Pratt vs. City of Edmond.**

Motion by Lamb, seconded by Miller, to authorize City Attorney to proceed with settlement negotiations on Stoy and Pratt claims. **Motion carried** as follows:

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

**15. Consideration of action regarding purchase of real property located along 2<sup>nd</sup> Street, south of University of Central Oklahoma campus.**

Motion by Rice, seconded by Miller, to direct City Attorney to continue to explore the possibility of purchasing the above property. **Motion carried** as follows:

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

**16. NEW BUSINESS:**

Councilmember Knox stated he felt the Community Connections process was not working as it was intended to work. He stated he has received negative comments from various property owners and he requested that Council discuss this further and revisit the process.

J.W. Armstrong addressed Council regarding the Community Connections meeting he was asked to attend and stated it was not a good experience. He felt that the meeting was out of control and the citizens were abusive.

Mayor Naifeh requested Councilmembers Knox and Miller work with staff on this matter.

Dan O'Neil also addressed Council on this matter.

Mr. O'Neil invited the City Council to attend the Edmond Neighborhood Alliance's annual picnic at 6:00 pm on Thursday, September 26.

Mayor Naifeh thanked Edmond Electric for their program to bury the electric lines in south Edmond. She stated she felt this was a worthy goal to improve how the community looks.

Mayor Naifeh also announced that Blaze Sports Club selected Edmond as one of nine dedicated cities around the United States to begin a program for disabled sports athletes. She noted this past weekend they sponsored a golf tournament for amputees which was a big success.

**17. Motion by Lamb, seconded by Rice, to adjourn meeting. Motion carried** as follows:

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

NAYS: None

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City Clerk

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Mayor