

EDMOND CITY COUNCIL MINUTES

October 14, 2002

Mayor Saundra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, October 14, 2002, in the City Council Chambers.

2. Approval of Minutes. Motion by Knox, seconded by Lamb, to approve September 23, 2002, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

A. **Presentation of the National Flood Insurance Program's Community Rating System Award for 2002-2003.**

4. Appointments to Boards and Commissions:

A. **Appointments to the following Advisory Boards.** Mayor Naifeh nominated the following youths for appointment:

- 1) Joshua Harrold to the Visual Arts Commission for a term expiring January, 2005.
- 2) Beth Scales to the Convention and Tourism Advisory Board for a term expiring October, 2005.
- 3) Jeff McBride to the Public Transportation Committee for a term expiring July, 2005.
- 4) Gianna Short to the Arts and Humanities Council for a term expiring February, 2005.
- 5) Alexis Baker to the Social Agency Review Commission for a term expiring May, 2007.
- 6) Justin Hire to the Parks and Recreation advisory Board for a term expiring July, 2005.
- 7) Tiffany Jordan Hill to the Central Edmond Urban Development Board for a term expiring February, 2005.
- 8) Caroline Owen to the Urban Forestry Commission for a term expiring October, 2005.
- 9) Matthew Duncan to the Historic Preservation Trust for a term expiring January, 2005.
- 10) Chelsea Orza to the Green City Task Force for a term expiring March, 2005.
- 11) Timothy Nelson to the KickingBird Golf Club Advisory

Board for a term expiring May, 2006.

- 12) Arthur Clymer to the KickingBird Tennis Center Advisory Board for a term expiring October, 2005.

Motion by Rice, seconded by Miller, to approve Items 4.A.(1-12). **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 the following electric easements:**
 - a) Lakewood Resources, LLC
 - b) Morrow Properties, LLC
- 2) **Acceptance of the following utility easements:**
 - a) Larry G. and Vicki R. Toombs
 - b) John B. and Sharon D. Thompson
 - c) Timothy F. and Tonya C. Washburn
 - d) Cedar Pointe Homeowners Association
- 3) **Acceptance of public improvements and maintenance bonds for Dooley Farms.**
- 4) **Acceptance of Final Plat, public improvements and maintenance bonds for Steeplechase VIII.**
- 5) **Approval of General Fund advance to the KickingBird Golf Course fund in the amount of \$130,000 and use of undesignated fund balance in the amount of \$172,000.**
- 6) **Approval of Resolution No. 45-02 approving the transfer of excess funds in the City of Edmond's Debt Service Sinking Fund to the General Fund in the amount of \$158,819.39.**
- 7) **Approval of transfer of appropriations - Administrative Services Department - \$16,000**

8) Approval of Electricity Time-of-Use rate schedule to be available for a customer who has established an annual energy consumption of 15,000,000 kWh.

B. Approval of Purchases:

1) Approval of Change Order Nos. 1 for the Downtown Community Center renovation project for a \$827 deduction for the following:

- | | | |
|----|------------------------------|-----------|
| a) | ABS Enterprises, Inc. | (\$2,125) |
| b) | All Hours Locksmith | (\$ 350) |
| c) | Taylor Brothers Construction | \$1,398 |
| d) | Premier Painting | \$ 250 |

2) Approval of Change Order No. 1 with L.G. Construction Co. for rehabilitation of residential structure located at 608 W. Main in the amount of \$400 as part of the Community Development Block Grant (CDBG) program.

3) Approval of Change Order No. 1 with Shawnee Lighting and approval of supplemental appropriations in the amount of \$40,179 for the Caplinger Sports Complex Lighting Improvements project for the Parks and Recreation Department.

4) Award of bid and approval of contract for the Downtown Community Center renovation project (Banquet Room) and Resolution No. 46-02 appointing Purchasing Agent. Purchasing Manager recommended accepting bid from W.C. Doan Construction in the amount of \$107,375.

5) Approval of design contract with Painter Consulting Engineers in the amount of \$71,500 for Safe Routes to Schools sidewalk project at various locations.

6) Approval of engineering contract with Clowers Engineering Company in the amount of \$226,860 for the Kelly Parkway, 33rd to 15th Streets.

7) Approval of agreement with Howard Site Design in the amount of \$7,900 for the design and development of the Broadway Median Master Plan.

Motion by Knox, seconded by Lamb, to approve General

Consent Items 5.A.(1-8) and 5.B.(1-7). **Motion carried** as follows:

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

8) **Discussion and consideration of rejecting bid for KickingBird Tennis Center indoor heating system or in the alternative, discussion and consideration of the Parks and Recreation Advisory Board's recommendation, and acceptance of bid, approval of contract, supplemental appropriations and Resolution No. 47-02 appointing Purchasing Agent.** Larry Stevens, City Manager, addressed Council and stated last year Council approved \$38,000 for heaters for the Tennis Center. He noted the City has bid the project three times. The first time, no bids were received and the last two times bids were received they were over the amount budgeted for the project. Mr. Stevens stated the last time bids were solicited S.W. Mechanical bid \$88,557. He stated the Park and Recreation Advisory Board recommended the bid from S.W. Mechanical be accepted and that \$50,557 from the park sales tax approved in May, 2001, be used to fund the remaining amount.

Motion by Rice, seconded by Miller, to accept bid from S.W. Mechanical in the amount of \$88,557 and transfer \$50,557 from the park sales tax fund as recommended by the Park and Recreation Advisory Board. **Motion carried** as follows:

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

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

<u>CLAIM NUMBER</u>	<u>RECOMMENDATION</u>
22-0068 Street Department	Deny - \$149.40

Steve Murdock, City Attorney, requested this item be continued to the next meeting.

Motion by Lamb, seconded by Miller, to continue Tort Claim to the next meeting. **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

10. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of Ordinance No. 2721 rezoning from "A" Single Family Dwelling District to "E-2" Open Display Commercial District, located at 501 W. Edmond Road (Pete Reeser, applicant) Case No. Z020058.**
- B. **Public Hearing and Consideration of Ordinance No. 2722 closing an electric easement located at 2500 N. Douglas (Craig Brudzinski, applicant) Case No. ES020003.**
- C. **Public Hearing and Consideration of a one-year extension of the Site Plan approval for a water tower, water storage tanks and associated equipment building, to be located on the northeast corner of Coffee Creek Road and Boulevard (City of Edmond, applicant).**
- D. **Public Hearing and Consideration of commercial Site Plan approval for an office remodeling of the existing house, located at 1801 S.E. 15th Street (Mary Hauser, applicant) Case No. SP020033.**

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

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

- 11. Public Hearing and Consideration of Ordinance No. 2723 amending Edmond Plan III from Single Family Dwelling to Restricted Commercial Planned Unit Development (PUD) usage, located at 1912 S. Boulevard (Somsong Cortese, applicant) Case No. Z020052.** This item was previously considered on August 26, 2002, and was continued to allow the applicant to amend the application to a PUD.

Leon Rhea, representing the applicant, addressed Council and urged approval. He stated they would preserve as many trees as possible and replant the trees that are removed.

Teresa Pickle and Brian Fields addressed Council in support.

Motion by Knox, seconded by Rice, to approve Ordinance No. 2723 as read by title by City Planner. **Motion was denied** as follows:

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

12. Public Hearing and Consideration of Ordinance rezoning from "A" Single Family Dwelling District to "D-1" Restricted Commercial District Planned Unit Development (PUD), located at 1912 S. Boulevard (Somsong Cortese, applicant) Case No. Z020053

This is a companion to the above item and was not considered due to the failure of that item.

13. Consideration of recommendation from the Fish and Game Commission for the Lake Access Policy at 33rd Street and Air Depot Boulevard and the equestrian trail parking area, located south of 33rd Street and Air Depot Boulevard. Randel Shadid, attorney representing Terry Spencer, addressed Council and requested this item be continued for 45 to 60 days. He stated he wished to discuss several issues with the U.S. Army Corps of Engineers prior to consideration by Council.

Councilmember Lamb stated he felt the City should move the equestrian trail parking lot to the head of the trail at Spring Creek. He noted if the trail is moved there would be no need for vehicles to go beyond the gate at 33rd Street. Councilmember Lamb stated this would eliminate potential unsavory activities in this area.

Motion by Rice, seconded by Lamb, to continue Item 13 for 60 days. **Motion carried** as follows:

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

14. Executive Session to discuss the following:

a) **Purchase of real property located west of Broadway between 2nd Street and 1st Street for Festival Marketplace project (Executive Session authorized pursuant to 25 Okla. Stat. Section 307 (B)(3).**

b) **Pending claim/litigation: Morgan vs. City of Edmond; Hicks vs. City of Edmond (Executive Session authorized pursuant to 25 Okla. Stat. Section 307 (B)(4).**

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, Lamb and Miller
NAYS: None

Mayor and Councilmembers recessed to the City Council Conference Room at 6:14 p.m. and returned to the City Council Chambers at 6:21 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

15. Consideration of action regarding purchase of real property located west of Broadway between 2nd and 1st Streets for the Festival Marketplace project. No action was taken on this item.

16. Consideration of action regarding the pending claims of Morgan and Hicks vs. City of Edmond.

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

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

17. NEW BUSINESS:

Mayor Naifeh stated she would accept the resignation of Mark Neighbors from the Capital Projects and Financing Task Force Committee.

Mayor Naifeh also stated the Council would be reviewing the need for all advisory board members to sign conflict of interest statements in the near future.

Mayor Naifeh encouraged citizens to attend the Russian program now being presented.

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

AYES: Mayor Naifeh, Councilmembers Rice,

Knox, Lamb and Miller
NAYS: None

City Clerk

Mayor