

EDMOND CITY COUNCIL MINUTES

February 28, 2000

Mayor Bob Rudkin called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, February 28, 2000, in the City Council Chambers.

2. Approval of Minutes. Motion by Moore, seconded by Knox, to approve Minutes of the February 14, 2000, City Council meeting. **Motion carried** as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox, Huggins
and Moore
NAYS: None

3. 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 January 31, 2000.**
- 2) **Acceptance of City Treasurer's Investment Report for month ending January 31, 2000.**
- 3) **Approval of mutual assistance agreement with the City of Newcastle, Oklahoma.**
- 4) **Approval of supplemental appropriations from prior year undesignated fund balance in the police asset forfeiture account - \$31,230**
- 5) **Approval of transfer of appropriations to implement Sierra Permit System in Building Services - \$8,000**
- 6) **Approval of FY 1999/2000 audit contract with Crawford & Associates, P.C.**
- 7) **Approval of Change Order No. 3 with J.W. Skaggs Construction in the amount of \$26,116 for the Edmond Library Expansion Project.**
- 8) **Approval of transfer and supplemental appropriations for telephone "switch" upgrade - \$52,224.95**
- 9) **Approval of transfer of appropriations for City telephone costs - \$40,000**

- 10) **Approval of Change Order No. 2 with Homco Construction in the amount of \$1,461 for the Edmond Downtown Community Center ADA elevator addition.**
- 11) **Approval of supplemental appropriations - Vehicle Maintenance Department - \$68,800**
- 12) **Approval of the application to Federal Emergency Management Association (FEMA) for a Conditional Letter of Map Revision (CLOMR) and the Conditional Floodplain Development Permit for Willow Creek at Santa Fe High School.**
- 13) **Acceptance of public improvements and maintenance bonds for the following commercial projects:**
 - a) Arby's Restaurant - private storm sewer
 - b) Eagle Office Center - fire hydrant

Motion by Rice, seconded by Moore, to approve General Consent Items 3.A.(1-13). **Motion carried** as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox, Huggins and Moore
 NAYS: None

4. Approval of Claims.

General Fund	\$100,200.21
Supplemental Fund	1,059,866.78
Senior Center	681.14
Liability Tort Claim Fund	722.98
CDBG Entitlement Fund	8,145.85
Mitch Park Tax Fund	1,220.83
1996 Capital Improvement Tax Fund	90,000.00
Employee Retirement Fund	37.95
Employee Group Insurance Fund	56,859.18
Vehicle Maintenance Fund	7,544.03
Administrative Support Services Fund	100,879.34
Fleet Management Fund	244,727.00
Payroll Ending Feb. 4, 2000	472,363.80
Admin. Support Serv. Ending Feb. 4, 2000	159,003.35
CDBG Payroll Ending Feb. 4, 2000	1,523.48
Mitch Park Tax Fund Ending Feb. 4, 2000	3,037.39
Vehicle Maint. Fund Ending Feb. 4, 2000	11,485.71
Liability/Tort Fund Ending Feb. 4, 2000	1,264.89
Est. Payroll Ending Feb. 18, 2000	484,000.00
Est. Admin. Support Serv. Ending Feb. 18, 2000	151,500.00
Est. CDBG Payroll Ending Feb. 18, 2000	1,525.00

Est. Mitch Park Tax Fund Ending Feb. 18, 2000	2,800.00
Est. Vehicle Maint. Fund Ending Feb. 18, 2000	11,600.00
Est. Liability/Tort Fund Ending Feb. 18, 2000	1,550.00
Est. Payroll Ending Mar. 3, 2000	502,500.00
Est. Admin. Support Serv. Ending Mar. 3, 2000	154,500.00
Est. CDBG Payroll Ending Mar. 3, 2000	1,525.00
Est. Mitch Park Tax Fund Ending Mar. 3, 2000	3,000.00
Est. Vehicle Maint. Fund Ending Mar. 3, 2000	11,800.00
Est. Liability/Tort Fund Ending Mar. 3, 2000	1,300.00

Motion by Rice, seconded by Huggins, to approve Claims.
Motion carried as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox, Huggins
and Moore
NAYS: None

Motion by Moore, 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 Rudkin, Councilmembers Rice, Knox, Huggins
and Moore
NAYS: None

8. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of Ordinance No. 2544 closing a private alley, located south and west of Lariate Circle in the Chisholm Lake Townhomes Addition, Section I (Larry Toombs, applicant).**
- B. **Public Hearing and Consideration of Final Plat of Edinborough Addition, located south of Waterloo Road, east of Bryant Avenue (Calvin Burgess, applicant).**

Mayor Rudkin temporarily left the City Council chambers and Mayor Pro Tem Moore presided over the meeting.

- C. **Public Hearing and Consideration of commercial Site Plan approval for a bank ATM machine, located on the northwest corner of the Shannon Miller Parkway and Memorial Road (Citizens Bank, applicant).**

Motion by Rice, seconded by Knox, to approve Planning Consent Item 8.C. **Motion carried** as follows:

AYES: Mayor Pro Tem Moore, Councilmembers Rice, Knox,
Huggins
NAYS: None

Mayor Rudkin returned to the City Council Chambers.

- D. **Public Hearing and Consideration of Final Plat of Amberwood II at Coffee Creek, located on the west side of Boulevard, ½ mile north of Covell Road (Derek Turner, applicant).**
- E. **Public Hearing and Consideration of commercial Site Plan approval for an office building, located north of 9th Street, west of Bryant (Chris Manos, applicant).**
- F. **Public Hearing and Consideration of Site Plan approval for an office building, located west side of Santa Fe, south of the Colony at Williamsburg offices and north of the Deerfield Addition (Charles Vision Center, applicant).** Councilmember Moore asked about the landscaping plan. Bob Schiermeyer, City Planner, addressed Council and stated the applicant exceeds City requirements. Councilmember Knox asked about the retaining wall adjacent to the Deerfield Addition. He noted that several residents had called him and requested that the retaining wall be constructed of concrete. John Alexander, developer, addressed council and stated he would meet with area homeowners prior to construction of the wall to work out the details regarding the type of construction material that would be used. Mr. Alexander noted that the building owner will maintain the retaining wall.

Ronnie Williams, representing the Edmond Neighborhood Alliance, addressed Council regarding detention facilities. He noted several areas now have flooding problems and he requested Council review the policy regarding detention facility requirements for new developments.

Motion by Moore, seconded by Knox, to approve Planning Consent Item 8.F. **Motion carried** as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox, Huggins
and Moore
NAYS: None

- G. **Public Hearing and Consideration of commercial Site Plan approval for a building addition, located east of Fretz, north of W. Edmond Road (Pro Motors, applicant).** Councilmember Moore addressed concerns about the landscaping and the building exterior. Mr. Schiermeyer addressed Council and stated the application exceeds landscaping requirements and he stated trees and other landscaping materials would be planted in front of the building to enhance the appearance of the brick veneer exterior.

Motion by Knox, seconded by Huggins, to approve Planning Consent Item 8.G. **Motion carried** as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox and Huggins

NAYS: Councilmember Moore

H. Public Hearing and Consideration of commercial Site Plan approval for Kentucky Fried Chicken, located at 1609 E. 2nd Street (Diane Campbell of McCluggage Van Sickle & Perry, applicant).

Motion by Moore, seconded by Huggins, to approve Planning Consent Items 8.A.,B.,D.,E. and H. **Motion carried** as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox, Huggins and Moore

NAYS: None

9. Public Hearing and Consideration of amending Edmond Plan III to allow for an exception to the prohibition for drilling an oil or gas well in the Arcadia Lake drainage basin (Shields Energy, Inc. applicant). The applicant is requesting the City amend the Edmond Plan regarding Ordinance No. 2471 which prohibits oil and gas exploration in the Arcadia Lake drainage basin. Shields Energy would like to drill a new well west of I-35, south of 15th Street, east of the Arrowhead Hills Addition on the west side of the Picture Perfect Nursery site. Staff noted the proposed well site would drain into the Spring Creek area of Arcadia Lake.

Richard Grimes, attorney representing the applicant, addressed Council and urged approval. Mr. Grimes requested the City amend the policy to allow applications to be considered on a case by case basis. He noted the standards will be increased and exceed Corporation Commission and City of Edmond requirements. Mr. Grimes noted the applicant was requesting an exception to the requirements for this well bore only.

Richard Haag, Bruce Carpenter, Jim Groves, David Degeare, Kay Landes and Mark Nash (President of Highland Arbors Homeowners Association) addressed Council in opposition.

Councilmember Huggins stated he was opposed due to the location of the proposed well. He noted that the Council spent approximately 18 months studying how to develop the I-35 Corridor and he felt this drilling site would not be appropriate in this area. Councilmember Huggins also noted the proposed well site is too close to residential homes.

Councilmember Knox stated the application is not about drilling a well, but is requesting Council consider amending the Edmond Plan. He stated this item was discussed approximately a year ago and at that time the Planning Commission requested the oil and gas and storm water staff to examine the current ordinance. Councilmember Knox stated at that time, staff determined the ordinance needed to be revised, but that has not been accomplished. He stated he felt it was the Council's responsibility to revisit the present policy and craft an ordinance which protects the Arcadia Lake water supply and is enforceable.

Motion by Huggins, seconded by Rice, to deny Item 9. **Motion carried** as follows and Item 9 was **denied**:

AYES: Mayor Rudkin, Councilmembers Rice, Huggins and Moore
NAYS: Councilmember Knox

10. Public Hearing and Consideration of Resolution instructing the City Engineer to proceed with detailed plans and specification for Sewer Improvement District No. 4 (Windmill Estates). Nancy Nichols, Director of Administrative Services, addressed Council and stated sufficient protests were received from residents of the Windmill Estates Addition and she recommended the City not proceed with creation of Sewer Improvement District No. 4. Ms. Nichols stated out of 117 homes, she received 107 protests primarily due to the costs assessed to the homeowners. She noted the process was initiated by a homeowner in Windmill Estates but that many property owners who signed the petition did not understand that this was a legal document and would initiate this procedure. Mike O'Brien, homeowner in Windmill Estates, addressed Council and requested the City prepare a brochure to fully explain the process to alleviate future misunderstanding regarding sewer and/or water assessments. Ms. Nichols stated City staff would prepare an informational brochure for distribution to citizens wishing to initiate this procedure.

11. NEW BUSINESS: None

12. Motion by Moore, seconded by Rice, to adjourn meeting. Motion carried as follows:

AYES: Mayor Rudkin, Councilmembers Rice, Knox, Huggins and Moore
NAYS: None

City Clerk

Mayor