

EDMOND CITY COUNCIL MINUTES

March 13, 2000

Mayor Bob Rudkin called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, March 13, 2000, in the City Council Chambers.

2. Approval of Minutes. Motion by Moore, seconded by Rice, to approve Minutes of the February 28, 2000, City Council meeting. **Motion carried** as follows:

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

3. City Council Presentations:

A. **Presentation of certificate to Edmond Electric from the United States Department of Energy.**

4. GENERAL CONSENT ITEMS: (General Consent Items were voted on collectively except where noted.)

A. **Approval of Administrative Items:**

- 1) **Approval of transfer of appropriations - Facility Maintenance - \$5,585.82**
- 2) **Approval of electric easement from Ray Voros to service McDonald's Corporation, 1414 S. Santa Fe.**
- 3) **Approval of supplemental appropriations from the Park Maintenance prior year fund balance for the joint City of Edmond/Edmond School District construction projects at Mitch Park and Cheyenne Middle School - \$92,285.50**
- 4) **Approval of supplemental appropriations in the amount of \$831,500 and approval of contract with Motorola for 800 MHz Trunked Radio System - \$3,305,527**
- 5) **Approval of FY 1999 one-year Action Plan for Edmond Community Development Block Grant (CDBG) program.**
- 6) **Approval of Change Order No. 1 for rehabilitation of residential structure at 322 E. Lincoln as part of the Community Development Block Grant (CDBG) program.**

- 7) **Acceptance of public utility easement from Trustees of the Anthony Paul Perrucci Testamentary Family Trust to service Office Max.**
- 8) **Approval of temporary easement from the Burlington Northern and Santa Fe Railway Company for the Blanch Avenue Community Development Block Grant (CDBG) drainage project.**
- 9) **Acceptance of the following temporary easements for the Blanch Avenue Community Development Block Grant (CDBG) drainage project:**
 - a) James R. & Mary E. Hogle
 - b) Thomas A. & Lisa L. Vesper
 - c) Dorothy L. Cossey
 - d) W.L. Paul
 - e) F. Marvin & E. Privette
 - f) Norman & B. Aldridge
 - g) Dana K. Pierce Theobald (2 easements)
 - h) Lonnie G. & Donna K. Blanton
 - i) Carolyn K. Gimus Sadeghy
- 10) **Approval of the following public water line easements and temporary construction easements for the Broadway Waterline Improvement project:**
 - a) Merrick Family Real Estate L.L.C.
 - b) MTV Real Estate L.P.
 - c) Norman Wynn Vandergriff
 - d) MTV Real Estate L.P. (Temporary easement)
 - e) Merrick Family Real Estate L.L.C. (temporary easement)
 - f) L. Talley & Associates, L.P. (temporary easement)
- 11) **Acceptance of public improvements and maintenance bonds for the following City public works projects:**
 - a) Kelly Traffic Signal
 - b) FY 1998/99 Springs Street Overlay Project
 - c) Eagle Drive Sanitary Sewer Replacement
 - d) FY 1998/99 Sidewalk Project
 - e) 33rd Street and Kelly Intersection Improvements
- 12) **Approval of State-Local Disaster Assistance agreement with the State of Oklahoma for participation in the Safe Room Rebate program.** Councilmember Moore requested an explanation of this item. Ed Steiner, Director of Building Services, addressed Council and stated due to the May 3, 1999, tornado, the Federal

Emergency Management Agency (FEMA) has made rebate funds available to Oklahoma County citizens who construct a safe room. He stated those residents who applied by the specified date can be reimbursed a maximum of \$2,000. Mr. Steiner noted that six Edmond residents have applied for the rebate.

Motion by Rice, seconded by Moore, to approve General Consent Item 4.A.(12). **Motion carried** as follows:

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

NAYS: None

B. **Approval of Purchases:**

- 1) **Approval of sole source purchase of 21 sets of stop sticks from Stop Sticks, Inc. in the amount of \$7,621.50 for the Police Department.**
- 2) **Approval of sole source purchase for telephone "switch" upgrade from Lucent Technologies in the amount of \$49,911.45.**
- 3) **Approval of proposal for office furniture/console equipment from Watson Furniture Systems in the amount of \$56,468 for the Central Communications Department.**
- 4) **Award of bid for rehabilitation of residential structure located at 612 W. Main Street.** The Citizens Participation Committee recommended accepting bid from R&R Home Improvements.

Motion by Moore, seconded by Knox, to approve General Consent Items 4.A.(1-11) and 4.B.(1-4). **Motion carried** as follows:

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

NAYS: None

- 5) **Approval to reject bids for vegetation control for the Leisure Services Department.** Randel Shadid, attorney representing Damon Johnson, addressed Council in opposition. He stated his client was the only bidder who complied with all state and city licenses and he requested that Mr. Johnson be awarded the bid. Mr. Shadid stated a separate license was required by the Oklahoma Agriculture Department in order to spray pesticides in the right of ways and his client was the only bidder to have that license. Earl London, Leisure

Services Assistant Director, addressed Council and stated when the bid was awarded to the low bidder, staff was unaware of the requirement for a separate license. He noted the bid specifications only required a City license. Mr. London requested that the bid be rejected and rebid with revised chemical specifications due to the time of year the spraying would take place. He noted the chemicals required in the previous bid specifications would not work at this time. Matt Meyer, Leisure Services Director, also addressed Council on this matter. Steve Murdock, City Attorney, addressed Council and stated staff attempted to work with Mr. Johnson but he submitted an "all or nothing" bid and refused to negotiate.

Motion by Rice, seconded by Huggins, to approve General Consent Item 4.B.(5). **Motion carried** as follows:

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

5. Consideration of approval of Tort Claim Committee's recommendation on Tort Claim.

<u>CLAIM NUMBER</u>	<u>RECOMMENDATION</u>
20-0021 Leisure Services	Pay - \$2,250

Motion by Rice, seconded by Knox, to approve Tort Claim Committee's recommendation on Tort Claim. **Motion carried** as follows:

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

6. Approval of Claims.

General Fund	\$522,007.09
Supplemental Fund	145,938.59
Senior Center	302.90
Liability Tort Claim Fund	45,129.04
CDBG Entitlement Fund	8,472.98
Local Law Enforcement Block Grant	3,929.20
Mitch Park Tax Fund	7,072.78
Capital Improvement Fund	183,464.46
1996 Capital Improvement Tax Fund	82,786.37
Employee Group Insurance Fund	114,577.41
Vehicle Maintenance Fund	55,911.82
Administrative Support Services Fund	127,538.33

Fleet Management Fund	48,350.54
Payroll Ending Feb. 18, 2000	459,914.09
Admin. Support Serv. Ending Feb. 18, 2000	154,779.53
CDBG Payroll Ending Feb. 18, 2000	1,523.45
Mitch Park Tax Fund Ending Feb. 18, 2000	2,857.96
Vehicle Maint. Fund Ending Feb. 18, 2000	11,667.46
Liability/Tort Fund Ending Feb. 18, 2000	1,399.45
Est. Payroll Ending Mar. 17, 2000	460,000.00
Est. Admin. Support Serv. Ending Mar. 17, 2000	155,000.00
Est. CDBG Payroll Ending Mar. 17, 2000	1,525.00
Est. Mitch Park Tax Fund Ending Mar. 17, 2000	2,900.00
Est. Vehicle Maint. Fund Ending Mar. 17, 2000	11,670.00
Est. Liability/Tort Fund Ending Mar. 17, 2000	1,500.00

Motion by Knox, 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

11. PLANNING CONSENT ITEMS:

A. **Public Hearing and Consideration of commercial Site Plan approval for a modular classroom, located at 313 E. 1st Street (St. Mary's Episcopal Church, applicant).** Councilmember Rice asked if the City has set standards for modular buildings. Bob Schiermeyer, City Planner, addressed Council and stated the buildings must comply with all BOCA codes, ADA and engineering standards. He noted the church plans to move the building off the property within five years and have agreed to an automatic three year review of the classroom and to submit a master plan of the property within one year. Councilmember Rice requested staff check to make sure the applicant adheres to the three year time limit.

Bayne New, area resident, addressed Council on behalf of himself and the Arcadian Inn Bed and Breakfast. He requested the building design be amended to contain a pitched roof and site proof fence up to the sidewalk area.

B. **Consideration of Correction of Plat Certificate affecting Lots 3 and 4, Apple Village Business Park addition, located**

on the east side of Fretz, north of 15th Street (Bryan Coon, Coon Engineering, applicant).

- C. **Public Hearing and Consideration of Ordinance No. 2545 amending Title 22, extending the Site Plan Review jurisdiction for the Central Edmond Urban Development Board amendment to Section 22.29B applicability, to add Subsection 2.4 to Chapter 22.29B Commercial, Multi-Family and Industrial Site Plan Review.**

Motion by Knox, seconded by Moore, to attach Emergency Clause to Ordinance No. 2545. **Motion carried** as follows and Ordinance No. 2545 is in effect immediately:

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

- D. **Public Hearing and Consideration of request for an amendment to the commercial Site Plan of the Wal-Mart Supercenter, located at Danforth and Santa Fe. (Expressway Development Associates, Inc., applicant).**

Motion by Moore, seconded by Rice, to approve Planning Consent Items 11.A. through 11.D. **Motion carried** as follows:

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

12. Public Hearing and Consideration of commercial Site Plan approval for an Office Depot, located at 1427 S. Broadway (J.W. Dansby & Associates, applicant). The existing buildings will be removed to make room for the Office Depot and a strip shopping center. The applicant is negotiating with the railroad to use the right-of-way on the west edge of the site for stormwater detention. If an agreement is not reached with the railroad, an underground storage vault will be installed to contain the drainage. The applicant is also requesting a variance from the parking requirements. The site plan contains 122 parking spaces which is 13 less than required by City codes. The applicant has agreed to grant an additional 17 feet of right-of-way along 15th Street. The applicant will be unable to grant the additional right-of-way if the parking variance is denied.

Eric Groves, attorney representing Mildred Tallent, addressed Council in opposition. Mr. Groves requested that the application be continued until the drainage plan is formalized. Mr. Groves requested that his client be allowed to review the detention plan selected by the applicant prior to approval.

Councilmember Knox stated he would prefer to approve the site plan and continue the drainage plan until a decision has been reached regarding which drainage alternative the applicant will use. Councilmember Rice stated he was also opposed to approving the application without the drainage plan in place.

J.W. Dansby, engineer for the applicant, addressed Council and stated the applicant's intent is to use the railroad's right-of-way for the drainage detention.

Motion by Huggins, seconded by Moore, to approve the site plan subject to continuing the drainage detention plan to a later date.

Motion carried as follows:

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

13. NEW BUSINESS: None

14. Motion by Huggins, seconded by Moore, to adjourn meeting.

Motion carried as follows:

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

City Clerk

Mayor