

EDMOND CITY COUNCIL MINUTES

September 25, 2000

Mayor Bob Rudkin called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, September 25, 2000, in the City Council Chambers.

2. Approval of Minutes. Motion by Huggins, seconded by Knox, to approve Minutes of the September 11, 2000, City Council meeting. **Motion carried** as follows:

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

3. City Council Presentations:

- A. **Recognition of City Manager Award to Leonard Martin for City Administrator of the Year.**
- B. **Recognition of Public Improvement Award.**
- C. **Presentation of proclamation proclaiming the week of October 1-7, 2000 as "PUBLIC POWER WEEK" in the City of Edmond.**

4. 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, 2000.**
- 2) **Acceptance of City Treasurer's Investment Report for month ending August 31, 2000.**
- 3) **Acceptance of the following electric easements:**
 - a) Michael Thurman, 908 E. 11th Street
 - b) Darian and Elisabeth Anderson, 1216 East Drive
 - c) Tom and Sharon Hopkins, 912 E. 11th Street
- 4) **Approval of supplemental appropriations - Street Department - \$61,756**

Councilmember Rice temporarily left the City Council Chambers.

- 5) **Acceptance of street right-of-way easement, 17 feet wide by one mile long, from Ruth Payne, LLC, et al, for the Kelly/Covell intersection project.**

Motion by Moore, seconded by Knox, to approve General Consent Item 4.A.(5). **Motion carried** as follows:

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

Councilmember Rice returned to the City Council Chambers.

- 6) **Approval of relocation of two courtesy bus benches to new locations on METRO Transit Route No. 3 (Rosewood Manor and Chapel Ridge Apartments).**
- 7) **Approval of transfer of appropriations for additional training costs and consulting fees in the Community Development Block Grant (CDBG) fund - \$4,166**
- 8) **Approval of FY 2000 contract/agreement with the Edmond Economic Development Authority (EEDA) for Community Development Block Grant (CDBG) activities.**
- 9) **Approval of FY 2000 public service grant agreement with UR Special Ministries, Inc. for Community Development Block Grant (CDBG) activities.**
- 10) **Approval of FY 2000 contract/agreement with the Metropolitan Fair Housing Council of Greater Oklahoma City.**
- 11) **Approval of FY 2000 public service grant agreement with the HOPE Center of Edmond for Community Development Block Grant (CDBG) activities.**
- 12) **Approval of continuation of Tennis Center Management Agreement with B&B Tennis, Inc.**
- 13) **Approval of application to the Federal Emergency Management Agency for a Letter of Map Revision for Hunters Creek Tributary, north of Coffee Creek Road.**
- 14) **Acceptance of the following utility easements:**
 - a) The Fountains of Edmond - electric and sanitary sewer lines

- b) The Fountains of Edmond - drainage
- c) Oklahoma City Clinic - sanitary sewer lines

15) **Acceptance of the following utility easements:**

- a) Out parcel east of the Wal Mart Super Center - sanitary sewer lines
- b) Burger King - Danforth and Santa Fe - sanitary sewer lines

16) **Consideration of the following ordinances, resolutions and election proclamation regarding the calling of a Special Election on December 12, 2000:**

a) Public Hearing and Consideration of Ordinance No. 2574 amending Ordinance No. 2293 to extend the sales tax of three-fourths of one percent ($3/4$ of 1%), commencing on October 1, 2000, providing for the purpose of sales tax and requiring same to be expended to fund capital improvements as recommended to the City Council by the Capital Financing Task Force; also providing for the establishment of a limited purpose tax fund; tax rate-sales subject to tax; providing for effective date and providing for repealer and Severability;

b) Consideration of Resolution No. 24-00 authorizing the calling and holding of an election in the City of Edmond, in the State of Oklahoma on the 12th day of December, 2000, for the purpose of submitting to the registered, qualified voters of said City, the question of approval of Ordinance No. 2574 to extend the three-fourths of one percent ($3/4$ of 1%) sales tax approved by the voters in 1996, as set out in Ordinance No. 2293, said funds to be expended to fund capital improvements as recommended to the City Council by the Capital Financing Task Force;

c) Public Hearing and Consideration of Ordinance No. 2575 amending existing sales tax ordinances and levying and assessing a sales tax of three-eighths of one percent ($3/8$ of 1%) in addition to the present City, County and State excise taxes levied and assessed upon the gross proceeds or gross receipts derived from all sales to any person taxable under the sales tax laws of Oklahoma; providing for the purpose earmarking the same to be expended only for the following purpose: providing additional firefighting personnel and equipment for said personnel, additional firefighting and rescue equipment, competitive compensation and

benefits for existing and retired Fire personnel; providing additional commissioned Police personnel and equipment for said personnel, additional equipment for law enforcement purposes, competitive compensation and benefits for existing and retired officers; also providing for the establishment of a limited purpose tax fund to be known as "Edmond Public Safety Limited Tax Fund"; providing for tax rate-sales subject to tax, exemptions and other exempt transfers, when tax due, returns and records; providing for method of payment of tax; providing tax constitutes debt; classification of taxpayers; vendor's duty to collect tax; returns and remittances-discount; tax collector defined; providing for definition, interest and penalties-delinquency, waiver of interest and penalties, erroneous payments-claims for refund, fraudulent returns; providing for confidential records; amendments; provisions cumulative and provisions Severability; providing for effective and operative dates and providing for Repealer and Severability;

d) Consideration of Resolution No. 25-00 authorizing the calling and holding of an election in the City of Edmond, in the State of Oklahoma, on the 12th day of December, 2000, for the purpose of submitting to the registered, qualified voters of said City, the question of approval of Ordinance No. 2575 to amend existing sales tax ordinances and levying and assessing a sales tax of three-eighths of one percent (3/8 of 1%), providing said funds to be used for public safety purposes all as set out in Ordinance No. 2575;

e) Consideration of Election Proclamation and Notice for Special Election of December 12, 2000.

17) **Approval of supplemental appropriations for 800 MHz radio system-related Change Order Nos. 1 and 2 from the Capital Improvement Tax Fund - \$13,687**

Motion by Rice, seconded by Huggins, to approve General Consent Items 4.A.(1-4,6-17). **Motion carried** as follows:

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

NAYS: None

5. Approval of Claims.

General Fund	\$116,511.81
Supplemental Fund	783,226.08

Senior Center	282.13
Liability Tort Claim Fund	126,982.94
CDBG Entitlement Fund	1,879.90
Mitch Park Tax Fund	948.16
Capital Improvement Fund	900.00
1996 Capital Improvement Tax Fund	10,737.66
Employee Group Insurance Fund	143,852.49
Vehicle Maintenance Fund	25,931.60
Administrative Support Services Fund	180,881.29
Fleet Management Fund	68,159.31
Payroll Ending Sept. 1, 2000	480,164.37
Admin. Support Serv. Ending Sept. 1, 2000	189,596.49
CDBG Payroll Ending Sept. 1, 2000	1,528.58
Liability Tort Fund Ending Sept. 1, 2000	1,044.62
Mitch Park Tax Fund Ending Sept. 1, 2000	5,142.10
Vehicle Maint. Fund Ending Sept. 1, 2000	13,137.62
Est. Payroll Ending Sept. 29, 2000	481,000.00
Est. Admin. Support Serv. Ending Sept. 29, 2000	190,000.00
Est. CDBG Payroll Ending Sept. 29, 2000	1,530.00
Est. Liability Tort Fund Ending Sept. 29, 2000	1,050.00
Est. Mitch Park Tax Fund Ending Sept. 29, 2000	5,200.00
Est. Vehicle Maint. Fund Ending Sept. 29, 2000	13,200.00

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

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

Motion by Rice, seconded by Huggins, 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

10. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of Special Use Permit for two classroom buildings, located at 1230 N. Sooner Road (Fairview Baptist Church, applicant).**
- B. **Public Hearing and Consideration of Special Use Permit for an additional building and site improvements at 600 N. Coltrane (Faith Bible Church, applicant).**

- C. **Public Hearing and Consideration of Ordinance No. 2576 amending Edmond Plan III from Restricted Commercial to General Commercial usage, located at 307 W. 2nd Street (Edward Humes, applicant).**

Motion by Rice, seconded by Moore, to approve Ordinance No. 2576 as read by title by City Planner. **Motion carried** as follows:

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

NAYS: None

Motion by Moore, seconded by Rice, to attach Emergency Clause to Ordinance No. 2576. **Motion carried** as follows and Ordinance No. 2576 is in effect immediately:

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

NAYS: None

- D. **Public Hearing and Consideration of Ordinance No. 2577 rezoning from "A" Single Family Residential to "E-1" General Commercial Planned Unit Development (PUD), located at 307 W. 2nd Street (Edward Humes, applicant).** This is a companion to the above item and was discussed at that time.

Motion by Knox, seconded by Huggins, to approve Ordinance No. 2577 as read by title by City Planner. **Motion carried** as follows:

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

NAYS: None

- E. **Public Hearing and Consideration of Ordinance No. 2578 closing one-half of 10th Street right-of-way, west of State Street, south of Terrace Addition (Shanna Swink, applicant).**

- F. **Public Hearing and Consideration of commercial Site Plan approval for a tractor supply store, located west of Broadway, south of Comfort Drive (Jim Griffith, applicant).**

Motion by Moore, seconded by Rice, to approve Planning Consent Items 10.A., B., E., and F. **Motion carried** as follows:

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

NAYS: None

11. Public Hearing and Consideration of Ordinance No. 2579 amending Edmond Plan III from Single Family Dwelling to Suburban Office usage, located at 1820 S. Boulevard (Ralph and Judy Sparks, applicant). All the residents south of the Feline Clinic with the exception of the northeast corner of Reynolds and Boulevard are in favor of office zoning and are prepared to apply for rezoning of their properties to Suburban Office. The residents indicated their reasons for requesting the zoning change are because of the duplexes, Hanson Chiropractic Clinic, the electric sub-station to the west and especially the increased traffic along Boulevard.

Ralph Sparks, applicant, and Eugene Kralik (1812 S. Boulevard) addressed Council and urged approval. No one appeared in objection.

Motion by Moore, seconded by Rice, to approve Ordinance No. 2579 as read by title by City Planner. **Motion carried** as follows:

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

Motion by Moore, seconded by Rice, to attach Emergency Clause to Ordinance No. 2579. **Motion carried** as follows and Ordinance No. 2579 is in effect immediately:

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

12. Public Hearing and Consideration of Ordinance No. 2580 rezoning from "A" Single Family Dwelling District to "D-O" Suburban Office District, located at 1820 S. Boulevard (Ralph and Judy Sparks, applicants). This is a companion to the above item and was discussed at that time.

Motion by Rice, seconded by Moore, to approve Ordinance No. 2580 as read by title by City Planner. **Motion carried** as follows:

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

13. Public Hearing and Consideration of Preliminary Plat of Redmont Trace (controlled access gated addition), located south of Coffee Creek Road, one-fourth mile west of Bryant Avenue (Robert Turner, applicant). The addition consists of 77 lots on 79.66 acres with access from Coffee Creek Road. Sanitary sewer is not

available and the applicant plans to use individual aerobic wastewater systems on each lot. The applicant agreed to work with staff regarding a water distribution solution after a Watercad Modeling Study is completed by City staff. A variance from sidewalks along the private streets and along Coffee Creek is requested. A variance is also requested from fully widening the street section along Coffee Creek. The applicant agreed to pay a fee in lieu of widening Coffee Creek.

Earnest Isch, engineer representing the applicant, addressed Council and explained the aerobic wastewater system.

Motion by Huggins, seconded by Knox, to approve Item 13. **Motion carried** as follows:

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

14. Public Hearing and Consideration of request by Ray Vaughn, Jr., of a cross-over at 2220 S. Broadway for Fast Lane Car Wash. When the Taco Cabana site plan was approved, they agreed to the north bound left turn only lane on Broadway by modifying the 22nd Street median. These recommendations were based on safety issues due to the speed and volume of traffic on Broadway.

Mr. Vaughn addressed Council and requested that the City construct a left turn lane at 23rd Street and Broadway to restore southbound access to his new tenant and the homeowners in the Henderson Hills Addition. Mr. Vaughn stated the existing metal buildings will be removed and a curb cut on Broadway will be eliminated with the construction of the car wash.

Rush Clinkscales, Acting City Engineer, addressed Council and stated there is adequate room for the left turn lane on 23rd Street. He stated staff recommended a southbound left turn only lane in order to comply with the City's Access Management Program. He noted access across Broadway would still be limited because an outbound left turn from 23rd Street would not be provided.

Motion by Knox, seconded by Moore, to approve Item 14. **Motion carried** as follows:

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

15. NEW BUSINESS: None

16. Motion by Moore, seconded by Huggins, to adjourn meeting.
Motion carried as follows:

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

NAYS: None

City Clerk

Mayor