

EDMOND CITY COUNCIL MINUTES

November 13, 2000

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

2. Approval of Minutes. Motion by Knox, seconded by Huggins, to approve Minutes of the October 23, 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 proclamation proclaiming November 12-18, 2000, as "OKLAHOMA HERITAGE 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) **Public Hearing and Consideration of the FY 2000/01 contract for "Share-a-Fare" services with the Central Oklahoma Transportation and Parking Authority (Metro Transit).**
- 2) **Acceptance of electric easement from In Town Suites, Inc. to serve 2221 S. Broadway.**
- 3) **Acceptance of the following public utility easements:**
 - a) Larry R. and Patricia L. Thompson to serve Arrowhead Self Storage
 - b) Advanced Financial Technology, Inc. to serve Oklahoma Natural Gas offices at 33rd Street and Technology Road
- 4) **Acceptance of the following public improvements and maintenance bonds:**
 - a) 29th and Boulevard school zone safety pilot project
 - b) FY 1999/2000 street overlay project
 - c) FY 1999/2000 sidewalk project

- d) Parking lot lighting - Mitch Park and Service Blake Park
- e) Broadway and S. 8th Street storm sewer improvements
- f) Blanch Avenue CDBG drainage project
- g) 2nd and Coltrane waterline relocation
- h) 2nd and Coltrane sanitary sewer relocation

B. Approval of Purchases:

- 1) **Approval of bid dispositions by the Purchasing Manager.**
- 2) **Award of bid for the FY 2000/01 fall street overlay project and approval of Resolution No. 27-00 appointing Purchasing Agent.** Purchasing Manager recommended accepting bid from T.J. Campbell Construction.
- 3) **Approval to reject bid for overhead door replacement for the Street Department.**
- 4) **Approval of professional services contract with IMS Infrastructure Management System.**
- 5) **Approval of Fire Station Location Study and transfer of appropriations for the Fire Department - \$15,355**

Motion by Moore, seconded by Knox, to approve General Consent Items 4.A.(1-4) and 4.B.(1-5). **Motion carried** as follows:

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

NAYS: None

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

CLAIM NUMBER

RECOMMENDATION

21-0015 Fire Department

Pay - \$855.19

Motion by Moore, seconded by Rice, 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	\$746,678.58
Supplemental Fund	526,182.78
Senior Center	346.04
Liability Tort Claim Fund	17,383.77
CDBG Entitlement Fund	60,486.97
Mitch Park Tax Fund	52,247.68
A.D.A. Compliance Fund	7,877.00
Capital Improvement Fund	27,305.50
1996 Capital Improvement Tax Fund	257,092.41
Employee Retirement Fund	9,509.27
Employee Group Insurance Fund	142,142.60
Vehicle Maintenance Fund	164,833.68
Administrative Support Services Fund	124,551.13
Fleet Management Fund	44,229.82
Payroll Ending Oct. 13, 2000	480,186.21
Admin. Support Serv. Ending Oct. 13, 2000	171,864.03
CDBG Payroll Ending Oct. 13, 2000	1,528.61
Liability Tort Fund Ending Oct. 13, 2000	1,833.42
Mitch Park Tax Fund Ending Oct. 13, 2000	4,892.60
Vehicle Maint. Fund Ending Oct. 13, 2000	12,039.18
Payroll Ending Oct. 27, 2000	535,338.35
Admin. Support Serv. Ending Oct. 27, 2000	170,354.46
CDBG Payroll Ending Oct. 27, 2000	1,528.59
Liability Tort Fund Ending Oct. 27, 2000	2,115.66
Mitch Park Tax Fund Ending Oct. 27, 2000	5,203.10
Vehicle Maint. Fund Ending Oct. 27, 2000	12,381.44
Est. Payroll Ending Oct. 17, 2000	831,000.00
Est. Admin. Support Serv. Ending Oct. 17, 2000	240,000.00
Est. CDBG Payroll Ending Oct. 17, 2000	3,700.00
Est. Liability Tort Fund Ending Oct. 17, 2000	1,850.00
Est. Mitch Park Tax Fund Ending Oct. 17, 2000	5,500.00
Est. Vehicle Maint. Fund Ending Oct. 17, 2000	19,200.00

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

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

NAYS: None

Motion by Rice, seconded by Moore, 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 Ordinance No. 2582 to close a portion of a public utility easement, located west of Fretz and south of Edmond Road (The Fountains of Edmond, LLC - VanNort easement, applicant).
- B. Public Hearing and Consideration of Ordinance No. 2583 to close a portion of a public utility easement, located west of Fretz and south of Edmond Road (The Fountains of Edmond, LLC - Viola Thompson easement, applicant).
- C. Public Hearing and Consideration of Ordinance No. 2584 to close a portion of a public utility easement, located west of Fretz and south of Edmond Road (The Fountains of Edmond, LLC - Howard Thompson easement, applicant).
- D. Public Hearing and Consideration of an extension of commercial Site Plan approval for a retail center, located at 33rd Street and Broadway on the west side of Broadway, south of Perkins Restaurant (John Henry & Co., Ltd., applicant).
- E. Public Hearing and Consideration of commercial Site Plan approval for a new building, located on the northeast corner of 33rd Street and Technology Drive (Oklahoma Natural Gas Company, applicant).

Motion by Moore, seconded by Rice, to approve Planning Consent Item 11.E. **Motion carried** as follows:

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

- F. Public Hearing and Consideration of a five-year extension of the Planned Unit Development known as Hampton Village, located on the northwest corner of 15th Street and Bryant (Hampton Properties, LLC, applicant).
- G. Public Hearing and Consideration of Ordinance No. 2585 rezoning from "G-A" General Agricultural District to "R-1" Rural Estate Dwelling District, located northwest of Air Depot Boulevard and Indian Hills Road (Charles Bowman, applicant).
- H. Public Hearing and Consideration of five-year extension of the commercial Planned Unit Development (PUD), located on the northwest corner of Coltrane and Covell Roads (Randel Shadid

representing Dr. Burdine, applicant). The PUD was originally approved in September, 1990, and an extension was granted in 1995. No changes from the original PUD are requested. The parcel contains 9.67 acres.

Councilmember Rice asked if area homeowners concerns have been addressed.

Randel Shadid, attorney representing the applicant, addressed Council and stated those concerns would be addressed during the Site Plan review process. He stated an agreement with the homeowners has not been reached at this time.

Patrick Williams, President of the Asheforde Oaks Homeowners Association, addressed Council and requested the following six changes to the PUD.

- 1) All structures be single story with brick on any side visible from Coltrane, Covell or their neighborhood. Ingress and egress be from Coltrane only.
- 2) Pole lighting be limited to the eastern side of all structures and not exceed height of the structures. Any other lighting be affixed to the buildings. Light directed toward the neighborhood be limited.
- 3) No outside music, speakers or other audio system be allowed or utilized.
- 4) A minimum of 25 foot landscape buffer with deciduous and evergreen trees for a noise and site buffer.
- 5) A new site-proof wall be built to screen the property and match the existing wall.
- 6) No 24 hour businesses allowed.

Mr. Shadid stated the applicant would not agree to all the requests from the homeowners association but would agree to brick or stone exterior walls on the buildings which are visible from Coltrane or Covell or if the buildings are visible from all four sides. Any lighting would be designed to not interfere with the neighborhood. Mr. Shadid stated no outside music, speakers or audio systems would be allowed or utilized on the property. He stated the remainder of the requests would be addressed during the Site Plan review process.

Councilmember Knox requested a more detailed and specific PUD.

Motion by Rice, seconded by Knox, to approve Planning Consent Item 11.H. **Motion carried** as follows:

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

Councilmember Rice temporarily left the City Council Chambers.

- I. Public Hearing and Consideration of commercial Site Plan approval of a Family Life Center onto the east side of the First Christian Church, located on the south side of 1st Street, west of Jackson Street, one block east of Boulevard (First Christian Church, applicant).**

Motion by Moore, seconded by Knox, to approve Planning Consent Item 11.I. **Motion carried** as follows:

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

Councilmember Rice returned to the City Council Chambers.

- J. Public Hearing and Consideration of Final Plat of Touchmark II Addition, located west of Shortgrass Road, north of Village Parkway in the Coffee Creek Addition (Turner and Company, applicant).**

- K. Consideration of approval of Certificate of Correction of the Homestead III Plat regarding finished floor elevations on Lots 13 through 21, inclusive, Block 14, located west of Santa Fe, north of Danforth Road.**

Motion by Moore, seconded by Huggins, to approve Planning Consent Items 11.A.-D.,F.,G.,J. and K. **Motion carried** as follows:

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

- 12. Public Hearing and Consideration of Ordinance repealing and amending Title 21, Subdivisions, of the Edmond Municipal Code, and adding new Title 21, Subdivisions: providing for effective date of July 1, 2001, and providing for Repealer and Severability.** Charles Lamb, representing the Impact Fee Committee, addressed Council and stated the Committee has been meeting and discussing amendments to Title 21 for approximately two years. Mr. Lamb stated the fundamental change the Committee has proposed is to ensure that all types of development be platted. Requirements for

public notices for preliminary and final plats is also included in the new ordinance.

Councilmembers Knox and Rice discussed several changes to the ordinance. Councilmember Knox requested that "lot" be more clearly defined in the definitions portion of the ordinance. Councilmember Rice requested wording be included to encourage voluntary connection of trails to other subdivisions and to existing parks and natural areas. He also requested the ordinance urge construction of retaining walls, rather than wood site proof fences, along section line roads. Councilmember Rice requested developers be encouraged to create landscaped areas in front of developments along section line roads. He requested the cash bond posted by developers be 125 percent of the estimated construction costs to cover any overruns. Councilmember Rice also stated his concerns about turn lanes into additions and sidewalks in acreage developments.

Consensus of Council was to continue the ordinance to allow the Committee to incorporate the changes suggested by Councilmembers Rice and Knox.

13. Consideration of recommendation by the Impact Fee Committee regarding a consultant to perform development fee analysis.

Charles Lamb addressed Council and stated the consultant would review the current fees and make recommendations for bringing the fees to an appropriate level. The consultant would also make recommendations for the GIS data base verification fees. Mr. Lamb noted the consultant would also review the payback policy for waterline and sanitary sewer extensions and increasing water or sewer main sizes to conform with the Master Plan recommendations. He requested staff be authorized to negotiate a contract with the chosen consultant. Mr. Lamb stated when the negotiations are completed, the contract would be presented to Council for formal approval.

Motion by Knox, seconded by Huggins, to authorize staff to enter into contract negotiations with the consultant. **Motion carried** as follows:

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

14. Public Hearing and Consideration of request to close the west 12 feet of a 20 foot utility easement at 5716 Irvine Drive (Tom French, applicant). The applicant is requesting a portion of the easement be closed to allow him to construct a swimming pool. An existing sanitary sewer line is located in the easement and staff

feels the full easement is needed to access and maintain the line. Planning Commission recommended denial.

Randel Shadid, attorney representing the applicant, addressed Council and stated the application has been amended to close only the west seven feet of the easement. Mr. Shadid noted the sewer line is in the east five feet of the easement. There is 30 feet between the applicant's property line and Kelly. He noted the 30 feet would provide adequate room for the City to work on the sewer line. Mr. Shadid stated the applicant will provide a "Hold Harmless" affidavit or a covenant not to sue in the event the property was damaged during work on the sewer line.

Jerry Smith, Assistant City Manager for Public Works, addressed Council and stated an adequate amount of separation needs to be maintained from the pool to the work area in order to drive the trucks and store equipment if the line needs to be worked on. He noted that protection of the workers should also be considered. Rush Clinkscales, Acting City Engineer, also addressed Council and recommended denial of closing the easement.

Motion by Rice, seconded by Moore, to approve Item 14. **Motion was denied** as follows:

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

15. Discussion and Consideration of possible dates to schedule workshops: A workshop was scheduled for Tuesday, November 21st at 4:30 to discuss both of the following items.

- B) Home to business conversion with Planning Commission
- C) Solid waste transfer station proposals

16. NEW BUSINESS: None

17. Motion by Huggins, seconded by Knox, to adjourn meeting. Motion carried as follows:

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

City Clerk

Mayor