

EDMOND CITY COUNCIL MINUTES

March 13, 2006

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, March 13, 2006, in the City Council Chambers.

2. Approval of Minutes. Motion by Miller, seconded by Lamb, to approve February 27, 2006, Minutes. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller
NAYS: None

3. City Council Presentations:

- A. **Proclamation recognizing March 19 through March 25, 2006, as "Arbor Week" in the City of Edmond.**
- B. **Presentation of the 5th Annual E-Tree awards by Tom Prince, Chairman of the Urban Forestry Commission.**
- C. **Presentation of Tree City USA and Tree Line USA awards by Mark Bays, State Urban Forester, Oklahoma Department of Agriculture, Food and Industry.**
- D. **Presentation of 1st Place award to Edmond for the Howland Electric System Operations award by Shane Woolbright, Executive Director of the Municipal Electric Systems of Oklahoma (MESO).**
- E. **City Manager's Monthly Progress Report.** Larry Stevens addressed Council and stated staff is continuing to move forward on the water system improvements package. He stated the pump station at the new northwest complex is under construction and the 30 inch transmission line from Oklahoma City has been installed. The project is scheduled for completion in the summer. He stated the 24 inch transmission line on Coffee Creek road is installed and the 24 inch line on Sooner Road is scheduled to be completed by the end of June. Mr. Stevens stated construction of the 3rd Community Park, east of Boulevard and 33rd Street, is underway on the initial phase of the project. He stated the 1st phase is scheduled for completion in May with a cost

of just under \$700,000. He noted the sidewalk partnership program has received 29 additional applications during this second year. To date 207 residential property owners have participated in the program for a total of over \$132,000 in City funds committed. Mr. Stevens stated the contractor is installing landscaping and the final layer of asphalt is being installed on Little Avenue for the Streetscape project, Phase II, Part I. He noted the project should be complete by mid-March. The Kelly Parkway, 15th to 33rd Streets, is nearing completion and remains ahead of schedule for completion by May 19th.

4. Appointments to Boards and Commissions:

- A. **Appointment to the Convention and Tourism Advisory Board.** Councilmember Miller nominated Scott Smelser for re-appointment to serve a three-year term expiring in February, 2009.
- B. **Appointment to the Urban Forestry Commission.** Mayor Naifeh nominated Diane Ming for appointment to serve a three-year term expiring in March, 2009.
- C. **Appointment to the Edmond Historic Preservation Trust.** Mayor Naifeh nominated Livinia Barrentine for appointment to fulfill the un-expired term of Nova Cox expiring in February, 2008.

Motion by Lamb, seconded by Page, to approve General Consent Items 4.A. through 4.C. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, 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) **Approval of Resolution No. 03-06 of the Mayor and City Council of Edmond expressing their support to program a signalization project at 15th Street and Coltrane.** Councilmember Sanford stated the first page of the resolution states that 100% of the project will be funded but in the next to the last paragraph of the resolution it states that matching funds are required

to be deposited within 30 days. She asked staff the reason for the discrepancy.

Steve Manek, City Engineer, addressed Council and stated the City is applying for a safety grant for 100% federal funding but if the project does not meet the criteria for the grant, then staff will apply for the 80/20 matching funds with the City's share being 20% of the cost of the project. He stated the 20% share will then need to be deposited with the Oklahoma Department of Transportation.

2) **Acceptance of construction permits for water and sewer line for Raspberry Park Addition from the Oklahoma Department of Environmental Quality.**

3) **Acceptance of off-site utility easements from Fairfax Joint Ventures, LLC for sanitary sewer and water lines to serve Fairfax Estates II and VI and Fairfax Gardens III additions.**

4) **Approval of transfer of appropriations for the Utility Customer Service Department - \$70,000**

5) **Approval of supplemental appropriations for the funding of a financial analysis study by KPMG for a convention center/full service hotel facility for the City of Edmond - \$25,000**

6) **Acceptance of electric easements from the following:**

- a) OSBI Forensic Science Center
- b) Suds Car Wash
- c) Stephen W. and Marilyn A. Miller
- d) Kenneth W. Crouch

7) **Acceptance of public improvements and maintenance bonds for the following:**

- a) Red River Roofing - detention pond
- b) 746 Enterprise Drive - sewer main and manhole
- c) OSBI site - waterline
- d) FY 2004/05 concrete street rehabilitation
- e) Sandstone Ridge, Lots 3 and 4 - sanitary sewer
- f) Autumn Ridge - sanitary sewer redevelopment

Motion by Lamb, seconded by Miller, to approve General Consent Items 5.A.(1-7). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller
NAYS: None

B. **Approval of Purchases:**

- 1) **Approval of Change Order No. 1 for Titan Home Remodel for emergency rehabilitation of residential structure located at 809 Sunset Drive as part of the Community Development Block Grant (CDBG) program in the amount of \$450.**
- 2) **Approval of engineering design with MacArthur Associated Consultants, LTD, for the 33rd Street and Broadway intersection improvements project in an amount not to exceed \$158,975.**
- 3) **Approval of contract with IMS Infrastructure Management Services to update the City's pavement management program in the amount of \$112,750.**
- 4) **Approval of design contract with Smith Roberts Baldischwiler for the Streetscape Pedestrian Linkages Project, in an amount not to exceed \$88,000.**
- 5) **Acceptance of deed from Target Corporation for the Fink Park to Hafer Park Trail project in the amount of \$41,900.**
- 6) **Award of bid and approval of agreement and Resolution No. 04-06 appointing Purchasing Agent for the 2nd Street Waterline Relocation (Bradbury and Vista Lane) project for the Engineering Department. Purchasing Manager recommended accepting bid from WN Couch Construction in the amount of \$432,019.50.**
- 7) **Award of bid for single phase polemount transformers for the YourGovShop member participants. Purchasing Manager recommended accepting bids from AECI, Diversified Electric, Priester and Solomon Corp.**
- 8) **Award of bid for a mechanical body, compressor and crane installed for the Fleet Management Department. Purchasing Manager recommended accepting**

bid from CASECO in the amount of \$32,558.20.

Motion by Page, seconded by Sanford, to approve General Consent Items 5.B.(1-8). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller
NAYS: None

Motion by Lamb, seconded by Miller, to recess the City Council meeting in order to convene the Edmond Public Works Authority meeting. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller
NAYS: None

Councilmember Miller left the City Council meeting.

8. Public Hearing and Consideration of Ordinance No. 2983 amending Edmond Plan III from Open Display, Single Family and Light Industrial to Single Family, Multi-Family and General Commercial Planned Unit Development (PUD) usage, located on the east side of I-35, north of E. 2nd Street and south of Danforth Road (Summit Development, applicant) Case No. Z060009. The site contains 111 acres and abuts I-35 on the west. Single family homes will be constructed on the east side of the project immediately west of Mountain View Park and Kanaly's Collegewood Acres. West of the single family area near the center of the project is 7.84 acres which is planned for multi-family allowing 125 apartment units. The remainder of the project is planned for commercial development. A signal light is proposed on 2nd Street at the main entry to the development at 100% of the owners cost. Sanitary sewer will need to be extended off-site to the south near Life Church at 100% owners cost. A looped water line should be constructed from 2nd Street through the project connecting with the water line parallel to I-35.

Randel Shadid, attorney representing the applicant, addressed Council and stated the property is now under one ownership rather than several as it was previously. He stated the applicant agreed to limit the density of the multi-family to four units per acre and the height of the buildings will be a maximum of two-story. A six foot stockade fence will also be constructed along the east side of the single family portion of the site. Mr. Shadid stated prior to any commercial site plans being submitted, the applicant will provide a traffic study. He stated they will also retain the services of an arborist or urban forester to assist with a tree preservation plan and to do a tree study of the property. He stated there will be no amendments to the I-35 Corridor standards regarding the property along I-35. Mr. Shadid noted that the area has changed significantly in the last several years and the applicant felt the proposed development is not out of character.

Councilmember Page asked the amount of land that will be reserved as a tree preservation area.

Mr. Shadid stated at this time it would be difficult to say exactly how much land will be preserved since they do not have definite development plans.

Councilmember Lamb stated staff's calculations show it would take almost seven acres of landscaping and 52,000 plant units to comply with the 15% landscaping requirements. He stated it would be to the applicant's advantage if they provide a tree preservation area which can be used as part of the landscaping requirement.

Mike Fightmaster, Emmett Park, Bruce Carpenter, Cindy Gladden, Mark Danner and Roberta Clark (all area residents) addressed Council in opposition. Their primary concerns were loss of the trees and increased traffic. They were also opposed to the multi-family development.

Mr. Shadid stated at this time there are no definite plans for a multi-family development but they requested the rezoning in order to apply for a Special Use Permit in the future if that is what the applicant determines is the best use of the property. He noted the multi-family will not be apartments but a townhouse development as part of a gated community. He stated the current zoning category will allow an apartment complex with a Special Use Permit. Mr. Shadid stated at this time the applicant is allowed to construct six houses per acre and are not required to provide any landscaping. He stated if houses are constructed they can remove all the trees and not provide a tree preservation area at all. He stated there is the potential for apartments to be constructed on 20.75 acres of the General Commercial tract on the south side of the project east of I-35 but would require a Special Use Permit. He noted that access onto Danforth Road will be used as a secondary access. He stated the area homeowners will be allowed to extend the water line to their property for City water services. Mr. Shadid stated the applicant will agree to discuss with Council any scenario regarding the street access onto 2nd Street.

Councilmember Lamb noted that approval of the Plan Amendment and rezoning does not guarantee that the Special or Specific Use Permits portion of the application will be approved in the future.

Mayor Naifeh stated she was concerned with the multi-family development and that her approval of the PUD should not be interpreted to mean that she will vote to approve that type of development during the Site Plan review process. She stated as the City continues to grow eastward, she feels the property along I-35 should be reserved for commercial development to

enhance job development and growth.

Councilmember Sanford stated she was concerned about the street access onto Danforth Road. She noted there has been much development along I-35 and that area homeowners can not expect I-35 to be protected from commercial development forever. She stated this area will see further development in the future now that the area is located in the Edmond School District. She noted the applicant has attempted to satisfy the homeowners by making several concessions and she felt it was a good plan and the applicant was adhering to Council requests.

Motion by Lamb, seconded by Sanford, to approve Ordinance No. 2983 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford and Lamb
NAYS: None

Motion by Page, seconded by Lamb, to attach Emergency Clause to Ordinance No. 2983. **Motion carried** as follows and Ordinance No. 2983 is in effect immediately:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford and Lamb
NAYS: None

9. Public Hearing and Consideration of Ordinance No. 2984 rezoning the following parcels:

- a) From "G-A" General Agricultural to "A" Single Family Planned Unit Development (PUD) District;
- b) From "G-A" General Agricultural to "C-3" High Density Residential and commercial Services PUD District;
- c) From "G-A" General Agricultural to "E-1" General Commercial PUD District;
- d) From "F-1" Light Industrial to "E-1" General Commercial PUD District;
- e) From "D-2" Neighborhood Commercial District to "E-1" General Commercial PUD District;

Located on the east side of I-35, north of E. 2nd Street and south of Danforth Road (Summit Development, applicant) Case No. Z060011. This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Sanford, to approve Ordinance No. 2984 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford and Lamb

NAYS: None

10. NEW BUSINESS:

Councilmember Page commended the Deer Creek girls basketball team for winning the Class 4A State Championship. He also commended the Oklahoma Christian boys basketball team for winning the Class 3A State Championship.

Mayor Naifeh stated she has received many calls regarding the traffic signal at Vista Lane and Bradbury and she asked for a completion time schedule. She requested a report from staff each week updating her on this project.

Steve Manek, City Engineer, stated the water line will be removed first and then the existing utilities will be moved. After all the line relocations have been completed then the traffic signal will be installed.

Randel Shadid congratulated Bob Schiermeyer, City Planner, on becoming a grandfather last week.

Mayor Naifeh thanked Edmond Life and Leisure for their television commercials showing what a great place Edmond is to live and work.

11. Motion by Sanford, seconded by Lamb, to adjourn meeting. Motion carried as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford and Lamb
NAYS: None

City Clerk

Mayor