

EDMOND CITY COUNCIL MINUTES

May 8, 2006

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, May 8, 2006, in the City Council Chambers.

2. Approval of Minutes. Motion by Miller, seconded by Page, to approve April 24, 2006, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

- A. **Presentation to the Arts and Humanities Council for Acousticadia sponsorship from AT&T.**
- B. **Presentation of proclamation recognizing May 19, 2006, as "Bike to Work Day" in the City of Edmond.**
- C. **Presentation of proclamation recognizing May 21-26, 2006, as "National Public Works Week" in the City of Edmond.**
- D. **City Manager's Month Progress Report.** Larry Stevens addressed Council and stated staff has been reviewing the possibility of adding additional turn lanes at the intersection of 33rd Street and Broadway. He noted because this is an ODOT project, 80% of the construction funding will be provided by the State and the City's estimated share of the project is \$1.5 million. Mr. Stevens stated a \$1 million allocation is included in the 2000 Capital Improvements Sales Tax for this project. He stated staff is also pursuing the possibility of adding turn lanes at the 15th Street and Broadway intersection. An allocation of \$500,000 is also included in the 2000 Capital Improvements Sales Tax for this project. The bridge replacement at 15th Street and Coltrane will be advertised for bids after utility lines have been relocated. The estimated time frame for construction is eight to twelve months at an estimated cost of \$2 million. The cost of the project will be funded through the 1996 Capital Improvements Sales Tax fund. Mr. Stevens stated the Fish and Game Commission is interested in enhancing Arcadia Lake's recreational area on

33rd Street. The proposed facilities would be eligible for a 75% grant from the Oklahoma Department of Wildlife Conservation. An RFP is now being prepared for design services for the project. Mr. Stevens updated the Council on the Miracle League field at Mitch Park and stated the initial season was opened on April 4th of this year. Mr. Stevens also provided an update regarding the upcoming Senior PGA Golf Tournament at Oak Tree Golf Course. He stated tournament officials have been working with Edmond Electric, Edmond Police and the Solid Waste Departments.

Councilmember Sanford asked if additional projects will be included in the RFP for Arcadia Lake and if a time frame has been determined to complete all the projects. She noted the Fish and Game Commission has talked about developing the entire area as a park for recreational purposes. Council-member Sanford also asked if the projects were included in the budget.

Mr. Stevens stated he understood that the entire area would be included in the RFP and that only the boat ramp, fishing pier and parking for the pier and the ramp would be eligible for the 75% grant. He stated all of the remaining proposed projects are grant eligible. Mr. Stevens stated the design costs were included in the budget but most of the projects would most likely be funded by the Park Tax revenue. He noted at this time the Fish and Game Commission had not determined a specific time frame to complete all the projects but he felt it would be one to two years. He stated staff is pursuing the 75% grant funding at this time.

4. Appointments to Boards and Commissions:

- A. **Appointment to the Edmond Planning Commission.** Councilmember Miller nominated Leroy Cartwright for re-appointment to serve a three-year term expiring in May, 2009.

Motion by Miller, seconded by Lamb, to approve Item 4.A.
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) Public Hearing and Consideration of the following items related to the calling of Special Election for the renewal of the one percent sales tax:

a) Public Hearing and Consideration of Ordinance No. 2998 Amending Existing Sales Tax Ordinances and Amending Sections 3.04.450(a) and Section 3.04.150(b) Providing for Extension of One Percent (1%) Sales Tax, providing for effective and operative dates and providing for Repealer and Severability.

b) Approval of Resolution No. 12-06 Authorizing the Calling and Holding of Election in the City of Edmond, in the State of Oklahoma, on the 25th Day of July, 2006, for the Purpose of Submitting to the Registered, Qualified Voters of said City, the Question of the Continuance of the One Percent Sales Tax as Originally Approved by the voters in April, 1977.

c) Consideration of Election Proclamation and Notice authorizing the calling and holding of an Election on the 25th day of July, 2006, for the purpose of submitting one proposition to the voters relating to the renewal of One Percent Sales Tax.

2) Approval of an interlocal agreement between the Board of County Commissioners of Oklahoma County to reconstruct, improve, repair and maintain certain city streets in the City of Edmond.

3) Approval of contract with the Association of Central Oklahoma Governments to provide traffic counts.

4) Acknowledge receipt of construction permits from the Oklahoma Department of Environmental Quality for public waterline to serve Homestead Medical Clinic.

5) Approval of supplemental appropriations from the Police Asset Forfeiture Fund - \$20,000

6) Approval of supplemental appropriations for the Police Public Safety Limited Tax Fund - \$60,000

- 7) Acceptance of public improvements and maintenance bonds for Fire Station No. 1 renovation project.
- 8) Acceptance of street right-of-way easement from Stonebridge Development, LLC, and Milanco, LLC, for a waterline to serve Kingsbury Ridge Subdivision.
- 9) Acceptance of Final Plats for the following:
 - a) Village Center IV at Coffee Creek
 - b) Taco Mayo
- 10) Acceptance of Final Plat, public improvements and maintenance bonds for Clos Du Val.
- 11) Approval of Letter of Map Revision application to FEMA for Spring Creek Tributary 3, located west of Bryant Avenue and north of 9th Street.
- 12) Approval of electric easement from Lagniappe Properties, LLC, for Doug's Automotive, located at 1324 S. Kelly Avenue, No. A and B.
- 13) Approval of supplemental appropriations from the 2000 Sales Tax Fund to restore funding to the Trails project - \$1,975,381

Motion by Lamb, seconded by Page, to approve General Consent Items 5.A.(1-13). **Motion carried** as follows:

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

B. Approval of Purchases:

- 1) Award of bid for a 40 foot and 55 foot aerial device on an appropriate cab/chassis for the Fleet Management Department. Purchasing Manager recommended accepting bids from Altec Industries (\$113,197) and Equipment Technology (\$88,519).
- 2) Award of bid and approval of contract and Resolution No. 13-06 appointing Purchasing Agent for the Festival Marketplace, Phase IIc (streetscape and parking lot) project for the Public Works Department.

Purchasing Manager recommended accepting bid from Rudy Construction in the amount of \$449,752.50.

3) Approval of Change Order No. 1 with Weaver Contracting, Inc. for the Community Park at 33rd Street and Boulevard, Phase I in the amount of \$23,140.

4) Approval of Change Order No. 1 with Downey Contracting, LLC, for the Fire Department training grounds, Phase II in the amount of \$10,091.60.

5) Approval of interlocal agreement with the Board of County Commissioners of Oklahoma County for rural mowing and weed control maintenance of section line right-of-ways in the amount of \$25,000.

6) Approval of agreement with Francis Tuttle Technology Center District No. 21 for training services related to implementation of skill-based compensation within the Field Services Division of Public Works in the amount of \$92,000. Councilmember Sanford stated this is a large amount of money and she requested an explanation.

Clay Coldiron, Public Works Director, addressed Council and stated on July 1st the Public Works Field Services division is implementing a skill-based compensation program and Francis Tuttle will assist by helping establish the training program curriculum, provide assessments and deliver training as requested. He stated the training program will prepare employees (who choose to participate) for testing and certification of the different skill sets. Mr. Coldiron stated Francis Tuttle will also apply for grants and apply any money received from the grants back to the City. He stated each year the cost for the services from Francis Tuttle will be less as the scope of the project decreases. He noted the costs for this year are high due to development of the curriculum and other start-up issues. Mr. Coldiron stated this contract was not reviewed by the Public Works Committee because the contract is not a design contract but a professional services contract and also because of the short time frame since the program is proposed to be implemented on July 1st. He noted City staff needs the support of Francis Tuttle to get the program started and he felt that was the justification

for the contract. Mr. Coldiron stated City staff did not feel they could implement the program without the assistance of an educational facility such as Francis Tuttle. He noted if employees choose to opt into the program, they will leave the existing compensation program and will not be eligible to return to that program. He stated all new hires after July 1st will automatically be enrolled in the skill based program. He stated current employees can also choose not to opt into the program and would remain with the existing compensation program.

Councilmember Lamb stated the intent of the training is to keep over head of personnel down as the city continues to grow and expand. He stated by implementing this program employees will be able to perform more services and also use the same equipment.

Motion by Page, seconded by Miller, to approve General Consent Items 5.B.(6). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller

NAYS: None

7) **Award of bid and approval of contract and Resolution No. 14-06 appointing Purchasing Agent for the Fink Park to Hafer Park Trail project.** Purchasing Manager recommended accepting bid from Young General Constructors in the amount of \$1,403,478.73.

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

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller

NAYS: None

Motion by Miller, seconded by Lamb, 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

8. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of commercial Site Plan approval for an office building in the Signal Ridge Business Park, located east of Kelly, south of 15th Street (Derek Turner, applicant) Case No. SP060011.**
- B. **Public Hearing and Consideration of commercial Site Plan approval for three office buildings, located west of Kelly, south of 15th Street (Kelley Pointe Development Company, applicant) Case No. SP060010.**

Motion by Page, seconded by Lamb, to approve Planning Consent Items 8.A. and 8.B. **Motion carried** as follows:

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

9. Public Hearing and Consideration of Special Use Permit for a 120 foot cellular tower located east of Coltrane, just under one-half mile south of Covell Road (U.S. Cellular, applicant) Case No. U060001. The tower was originally proposed to be 130 feet tall but the application was amended to 120 feet in height. After meeting with several area residents, the tower location was moved approximately 100 feet northwest of the original site on Covell Lane. The tower will be 362 feet east of Coltrane and 167 feet north of Covell Lane. The tower will be a mono-pole construction and will allow for co-location by other entities. An equipment shelter will also be constructed on the site with access from the east/west portion of Covell Lane. The equipment building will be fenced with an eight foot chain link fence with three strands of barb wire on the top. Planning Commission recommended approval.

Dennis Box, attorney representing the applicant, addressed Council and stated the application has been continued several times since they first applied in December, 2005. He stated since the application was continued on April 10th he has met with the Olde Edmond Homeowners Association. Mr. Box stated they have a quarter of a mile gap in coverage and anything outside the confines of that area will not work with their system. He noted federal law requires cellular telephone companies to remedy gap coverage problems and they felt the proposed tower would take care of those problems. He stated the area is heavily wooded and has an existing oil well and tank battery located on the site and will have minimal impact to area homeowners. He stated they would commit to using flush mounted antennas and co-locators will also be required to use flush mounted antennas. Mr. Box stated if the lease is terminated, they will be required to remove the tower and the equipment building.

Charlie Prader (President of Olde Edmond Homeowners Association, 3209 Durango Way) and Ted Norton (3201 Durango Way) addressed Council in opposition. They stated they did not want to look at a cellular tower each time they went outside and they also requested the tower be re-located to another corner of the

property.

Mayor Naifeh stated there was a cellular tower in her neighborhood and it has not had a negative impact in that area.

Motion by Lamb, seconded by Page, to approve Special Use Permit subject to the tower containing only flush mount antennas and that any future co-locators will also use flush mount antennas.

Motion carried as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford and Lamb
NAYS: Councilmember Miller

10. Public Hearing and Consideration of Special Use Permit and Site Plan approval for a child care center located on Village Center Parkway, located north of Covell, east of Kelly in the Coffee Creek Addition (Derek Turner, applicant) Case No. SP060012. The site contains 33,341 square feet and 30 parking spaces are requested. Two driveways will be constructed on Village Parkway. The yard will be fenced in compliance with childcare center playground requirements. One six foot, 42 square foot sign is proposed. The architectural design will follow the design used in the existing Coffee Creek commercial buildings.

Derek Turner addressed Council and stated it was always intended to have a commercial development in this area. He noted originally Touchmark had planned to construct a childcare center on their property for use by their residents but that development never came to fruition so his company decided to construct the childcare center at the proposed location in the Coffee Creek Addition.

Doris Beacham and Debbie Houston, both residents on Longmeadow Drive, addressed Council in opposition. Their primary concerns were increased traffic and decreased property values. Both ladies stated area residents were never aware that a childcare center was planned for this site and thought the property would remain a greenbelt. Ms. Beacham stated it is difficult to access both Kelly and Covell and the increased traffic would increase the access problems. Both residents also felt during the drop-off and pick-up times traffic would overflow into the street making it difficult for residents to access their homes.

Mr. Turner stated a childcare center has always been shown on the Master Plan maps and it was never intended for the property to remain a greenbelt. He stated a childcare center is allowed in all zoning categories with a Special Use Permit. Mr. Turner stated they have approval for 119 children and all public streets will be used to access the childcare center. He stated no homes abut the collector streets so no driveways will be blocked by the childcare center traffic. He noted there will not be a drop-off/pick-up area as most parents will personally take and retrieve their children from the facility. He stated generally the time frame for pickup and delivery of children is from 7:00-9:00 am and 4:00-6:00 pm. Mr. Turner stated the only business that could be added in the future next to the daycare center would be a small commercial office building and that would require rezoning of the property.

Steve Manek, City Engineer, outlined the time frame for widening Covell. He stated the first project would be the realignment of Boulevard, east of the railroad tracks which is scheduled for a bid letting later this year. The next project would be the Covell underpass which is scheduled for 2007 and in 2009 Covell would be widened from Thomas Drive to Santa Fe. Mr. Manek stated in 2008 the section of Kelly from Waterloo Road to Coffee Creek would be widened and in 2010 Kelly would be widened from Danforth to Coffee Creek.

Mayor Naifeh noted widening of the surrounding streets is a long-term project and felt that perhaps because Covell

Road is becoming an east/west artery that the project should be moved forward.

Motion by Lamb, seconded by Miller, to approve Item No. 10.
Motion carried as follows:

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

11. Public Hearing and Consideration of Ordinance No. 2999 rezoning from "D-O" Suburban Office to "D-O" Suburban Office Planned Unit Development (PUD) District, located on the west side of Oakridge Drive, north of E. 2nd Street (Daniel and Darla Nesom., applicants) Case No. Z060025. The site contains 5 acres and 23 new single-family homes are proposed. An existing home will remain as is and access will be from Oakridge Drive. Setback variances are requested for the single family detached units. A significant floodplain is located on property to the west and is undeveloped. A detention area is located in the southwest corner of the site. Planning Commission recommended approval.

General discussion was held regarding the existing six inch water line.

Dan Nesom addressed Council and stated the addition will be developed with smaller homes with hardy board siding on the exterior walls.

Chris Head addressed Council in opposition. His primary concerns were increased traffic and water pressure issues since the existing water line on Oakridge is only a six inch line.

Beth Williams and Becky Kerr also addressed Council and stated they were not opposed but still had concerns about the size of the homes and felt they were not compatible with the Mason Acres Addition.

Caleb McCaleb addressed Council as the builder of the homes. He stated he has also developed and constructed homes in the surrounding areas and that he would be using the same designer for these cottage style homes as he used for his larger homes. He noted each home would have two car garages with an option for a third car. Mr. McCaleb stated various focus groups in Edmond have been looking at alternatives for homes that cost under \$300,000. He noted that not everyone can afford to purchase a home in Edmond due to the high costs and that the focus groups were looking for less expensive homes to make it more affordable to live in Edmond. He stated the water pressure in that area is extremely high and he usually has to place pressure reducing valves on the lines so he felt a six inch water line would be adequate to serve this development.

Motion by Page, seconded by Lamb, to approve Ordinance No. 2999 as read by title by City Planner. **Motion carried** as follows:

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

Mayor Naifeh announced there would be a five minute break.

Councilmember Page temporarily left the City Council Chambers.

Mayor Naifeh stated Items 12 through 17 would be discussed together.

Randel Shadid, attorney representing the applicant, addressed Council and stated he feels the proposed projects are a better project than was previously submitted and consequently denied by the Council. He stated three corners of the property is under one ownership which makes it much easier to develop a quality project. He stated 5.3 acres on the northeast corner of the property is being reserved for a tree preservation area and additional landscaping could be included during the Site Plan review process. He agreed to comply with 15% landscaping and all of the I-35

Corridor standards. Mr. Shadid agreed to eliminate a truck stop as a use. He stated it was in the best interest of the applicant to screen the solid waste transfer station from view by retaining as many trees as possible. He noted there will be a maximum of five curb cuts on Covell. He stated because Covell is becoming the northern outer-loop of the City and the rapid growth along Covell plus the desire of the Council to maintain sales tax revenue this application should be approved.

Dan O'Neil addressed Council on behalf of the Cross Timbers Tree Preservation Committee and requested more than the agreed upon 15% landscaping. He noted the City's solid waste transfer station contains almost 30% landscaping. Mr. O'Neil requested a commitment from the applicant to continue screening the transfer station.

Mayor Naifeh stated she would be requesting additional tree preservation during the Site Plan review process.

Councilmember Lamb stated the developer will realize that additional tree preservation is in his best interest. He stated he also appreciated only five curb cuts on Covell as a positive concession by the developer.

It was agreed to amend the PUD to provide that the 5.3 acres of tree preservation would be in addition to the 15% landscaping requirement on site plans and the curb cuts would be limited to five (5) east and west of I-35 on Covell and this count included the existing Progressive Drive.

12. Public Hearing and Consideration of Ordinance No. 3000 amending Edmond Plan III from Limited Light Industrial and General Office Corridor to Suburban Office Planned Unit Development (PUD) usage, located north of Covell, west of Air Depot (Covell 35 Development, LLC, applicant) Case No. Z060036. The site contains 22.16 acres and consists of two tracts, one containing 6.31 acres and the other containing 15.85 acres. Sanitary sewer lines are adjacent to the larger tract and a walking trail will also be provided through this tract. Planning Commission recommended approval.

Motion by Lamb, seconded by Miller, to approve Ordinance No. 3000 as read by title by City Planner. **Motion carried** as follows:

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

Motion by Lamb, seconded by Miller, to attach Emergency Clause to Ordinance No. 3000. **Motion carried** as follows and Ordinance No. 3000 is in effect immediately:

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

13. Public Hearing and Consideration of Ordinance No. 3001 rezoning from "F-O" Limited Light Industrial and General Office Corridor to "D-O" Suburban Office Planned Unit Development (PUD) District, located north of Covell, west of Air Depot (Covell 35 Development, LLC, applicant) Case No. Z060037. This is a companion to the above item and was discussed at that time.

Motion by Miller, seconded by Lamb, to approve Ordinance No. 3001 as amended and read by title by City Planner. **Motion carried** as follows:

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

14. Public Hearing and Consideration of Ordinance No. 3002 amending Edmond Plan III from Limited Light Industrial and General Office Corridor to Restricted Commercial Planned Unit Development (PUD) usage, located north of Covell, west of Air Depot (Covell 35 Development, LLC, applicant) Case No. Z060034
. The site contains 54.20 acres and is considered down zoning. Planning Commission recommended approval.

Motion by Lamb, seconded by Miller, to approve Ordinance No. 3002 as read by title by City Planner. **Motion carried** as follows:

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

Motion by Miller, seconded by Lamb, to attach Emergency Clause to Ordinance No. 3002. **Motion carried** as follows and Ordinance No. 3002 is in effect immediately:

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

15. Public Hearing and Consideration of Ordinance No. 3003 rezoning from "F-O" Limited Light Industrial and General Office Corridor to "D-1" Restricted Commercial Planned Unit Development (PUD) District, located north of Covell, west of Air Depot (Covell 35 Development, LLC, applicant) Case No. Z060035. This a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Miller, to approve Ordinance No. 3003 as amended and read by title by City Planner. **Motion carried** as follows:

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

16. Public Hearing and Consideration of Ordinance No. 3004 amending Edmond Plan III from Limited Light Industrial and General Office Corridor to General Commercial Planned Unit Development (PUD) usage, located on the northwest corner of Covell and Air Depot (Covell 35 Development, LLC, applicant) Case No. Z060032. The site contains 37.184 acres and is located west of the solid waste transfer station. The development will be required to comply with the I-35 Corridor Site Plan standards. Planning Commission recommended approval.

Motion by Lamb, seconded by Sanford, to approve Ordinance No. 3004 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Sanford,

Lamb and Miller
NAYS: None

Motion by Lamb, seconded by Sanford, to attach Emergency Clause to Ordinance No. 3004. **Motion carried** as follows and Ordinance No. 3004 is in effect immediately:

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

17. Public Hearing and Consideration of Ordinance No. 3005 rezoning from "F-O" Limited Light Industrial and General Office Corridor to "E-1" General Commercial Planned Unit Development (PUD) District, located on the northwest corner of Covell and Air Depot (Covell 35 Development, LLC, applicant) Case No. Z060033. This a companion to the above item and was discussed at that time.

Motion by Miller, seconded by Sanford, to approve Ordinance No. 3005 as amended and read by title by City Planner. **Motion carried** as follows:

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

Mayor Naifeh stated Items 18 through 21 would be discussed together.

Mr. Shadid addressed Council on behalf of the applicant and stated there would be no modifications to the I-35 Corridor Standards and no truck stop would be allowed as a use. He stated due to the changes in this area and the I-35/Covell Interchange, this is a prime location for a retail development and a hotel/convention center.

Dan O'Neil addressed Council and requested a water line be extended to the area south of Covell and west of I-35.

Mayor Naifeh stated she was concerned about the number of trees remaining on the property and that she would be requesting additional trees when the site plans are presented to Council.

18. Public Hearing and Consideration of Ordinance No. 3006 amending Edmond Plan III from Single Family to General Commercial Planned Unit Development (PUD) usage, located on the southwest corner of Covell and I-35 (Covell 35 Development, LLC, applicant) Case No. Z060028. The site contains 25.68 acres and a hotel and convention center is the proposed use. Access is possible along Covell Road even with the ODOT on-ramp to I-35 and limits of no access are required along that area. Planning Commission recommended approval.

Motion by Miller, seconded by Sanford, to approve Ordinance No. 3006 as read by title by City Planner. **Motion carried** as follows:

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

Motion by Miller, seconded by Sanford, to attach Emergency Clause to Ordinance No. 3006. **Motion carried** as follows and Ordinance No. 3006 is in effect immediately:

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

19. Public Hearing and Consideration of Ordinance No. 3007 rezoning from "A" Single Family to "E-1" General Commercial Planned Unit Development (PUD) District, located on the southwest corner of Covell and I-35 (Covell 35 Development, LLC, applicant) Case No. Z060029. This is a companion to the above item and was discussed at that time.

Motion by Miller, seconded by Sanford, to approve Ordinance No. 3008 as read by title by City Planner. **Motion carried** as follows:

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

20. Public Hearing and Consideration of Ordinance No. 3008 amending Edmond Plan III from General Agricultural to General Commercial Planned Unit Development (PUD) usage, located on the northeast corner of Sooner Road and Covell (Covell 35 Development, LLC, applicant) Case No. Z060030. The site contains 129.87 acres and a retail shopping center is the proposed use. Planning Commission recommended approval.

Motion by Sanford, seconded by Miller, to approve Ordinance No. 3008 as read by title by City Planner. **Motion carried** as follows:

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

Motion by Sanford, seconded by Miller, to attach Emergency Clause to Ordinance No. 3008. **Motion carried** as follows and Ordinance No. 3008 is in effect immediately:

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

21. Public Hearing and Consideration of Ordinance No. 3009 rezoning from "G-A" General Agricultural to "E-1" General Commercial Planned Unit Development (PUD) District, located north of Covell, east of Sooner Road (Covell 35 Development, LLC, applicant) Case No. Z060030. This is a companion to the above item and was discussed at that time.

Motion by Sanford, seconded by Lamb, to approve Ordinance No. 3009 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Sanford,
Lamb and Miller

NAYS: None

Mr. Shadid expressed appreciation to former mayor Carl Reherman for his assistance in planning the development concept on these three corners.

Councilmember Page returned to the City Council Chambers.

22. Executive Session to discuss the purchase of real property generally located near Littler and Main in Downtown Edmond (Executive Session authorized pursuant to 25 Okla. State. Sec. 307 (B)(3)).

Motion by Page, seconded by Miller, to meet in Executive Session to discuss the above item. **Motion carried** as follows:

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

Mayor and Councilmembers recessed to the City Council Conference Room at 8:20 p.m. and returned to the City Council Chambers at 8:27 p.m.

Motion by Miller, seconded by Page, to adjourn Executive Session. **Motion carried** as follows:

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

23. Consideration of action with regard to the purchase of real property located near Post Road and Highway 66. Mayor Naifeh stated there would be action taken on this item.

24. NEW BUSINESS:

Mayor Naifeh announced the State Health Department is developing a bird flu emergency plan and a meeting would be held on May 18th for all interested parties.

Councilmember Page stated the Edmond Arts Festival was a success this past weekend and commended all involved.

25. Motion by Page, seconded by Miller, to adjourn meeting. Motion carried as follows:

AYES: Mayor Naifeh, Councilmembers Page,
Sanford, Lamb and Miller

NAYS: None

City Clerk

Mayor