

EDMOND CITY COUNCIL MINUTES

July 14, 2008

Mayor Dan O'Neil called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, July 14, 2008, in the City Council Chambers. Councilmembers Lamb and Miller were absent.

Mayor O'Neil commended all the volunteers who served on the Liberty Fest Committee for the great 4th of July festivities. He stated he felt it was a credit to the community for the outstanding manner in which the festivities were conducted.

2. Approval of Minutes of June 23, 2008 Meeting Minutes. Motion by Page, seconded by Waner, to approve Minutes. **Motion carried** as followed:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

3. City Council Presentations:

A. **City Manager's progress report.** Larry Stevens addressed Council and stated the Kelly Avenue widening in front of the Lowe's/Jemsite development is underway. He noted a section of Kelly from Danforth to Covell was closed last week and the project is projected to be completed by August 20th, weather permitting, to accommodate the beginning of school. Lowe's is reimbursing the City for the funds that would have been provided by ODOT, approximately \$900,000 to \$1M.

Mr. Stevens stated a contract has been awarded to Blaco Construction in the amount of \$577,263 for the Fretz Road extension project. The work should begin during the middle of August and 20 weeks has been allotted to complete this project.

Mr. Stevens stated one bid was received and rejected for the bridge replacement at 15th Street and Coltrane. The bid was significantly over the engineer's estimate and staff is working with the engineer to re-bid the project as soon as possible.

Mr. Stevens stated the City has submitted an application to the EPA for \$42,000 in funding as one of three pilot projects for a potential composting program. Funding is included in this year's budget for a feasibility study if the EPA request does not materialize. He stated a study last February showed

that citizens are strongly in favor of the City pursuing a compost program.

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 May 31, 2008.**
- 2) **Approval of transfer of appropriations to fund an amendment to the Triad design contract for the Covell underpass project. - \$23,091.25**
- 3) **Acknowledgement of receipt of construction permits from the Oklahoma Department of Environmental Quality for the following projects:**
 - a) Lowe's of North Edmond
 - b) Abel convenience store
- 4) **Approval of Resolution No. 14-08 supporting the expansion of passenger rail service from Oklahoma City through Edmond with service to Kansas City.**
- 5) **Approval of mutual cooperation agreement with the Town of Arcadia regarding animal welfare services.**
- 6) **Approval of the following electric easement:**
 - a) Cathedral of the Hills
- 7) **Acceptance of public improvements and maintenance bonds for the following:**
 - a) Fink Park to Hafer Park, Phase I
 - b) Fink Park to Hafer Park, Phase II
 - c) Enterprise Commercial, Phase II
 - d) Streetscape pedestrian linkages project and street rehabilitation resurfacing and reconstruction, Phase II-A
 - e) 2020 Water System Master Plan improvements, Contract 9A (drilling of wells 65-68)
 - f) 2020 Water System Master Plan improvements, Contract 6C (chlorination facility at Mitch Park)
 - g) 2020 Water System Master Plan improvements, Contract 9C (waterline for wells 65-68)
 - h) 575 Enterprise

- i) 4202 Jordan Avenue
- j) Sweetwater Addition
- k) Brookhaven North and Fairfax Golf Course
- l) 3224 Teakwood Lane
- m) Tuscan Park

Motion by Waner, seconded by Page, to approve General Consent Items 4.A.(1-7). **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

B. Approval of Purchases:

- 1) Approval of agreement with Crawford & Associates, P.C. to prepare the City of Edmond Comprehensive Annual Financial Statements (CAFR) and annual Performeter analysis for the fiscal year ending June 30, 2008, in the amount of \$45,000.
- 2) Approval of agreement with John M. Arledge & Associates, P.C. to provide audit services of the FY 2007/08 Financial Statements for year ending June 30, 2008, in the amount of \$33,500.
- 3) Approval of high speed internet connection annual maintenance and support form OneNet in the estimated amount of \$28,000.
- 4) Approval of purchase of annual maintenance agreement for computer equipment from IBM as a sole source supplier in the estimated amount of \$19,000.
- 5) Approval of annual software license and maintenance (including renewal options) for the Financial Services software package from SunGard BiTech in the amount of \$50,000.
- 6) Approval to purchase computers, network equipment, network licenses and equipment maintenance on State contracts in the amount of \$721,000.
- 7) Approval of amendment to design contract with Triad Design for the Covell Underpass project in the amount of \$23,091.25.

- 8) **Approval of Change Order No. 1 with Shell Construction Company for the Streetscape Linkages project, Phase II in the decreased amount of \$89,997.44.**
- 9) **Award of bids for electrical materials for the YourGovShop member participants.**
- 10) **Approval of bid disposition for annual service/supply contracts by the Purchasing Manager**

Motion by Waner, seconded by Page, to approve General Consent Items 4.B.(1-10). **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

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

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

Mayor O'Neil reconvened the City Council meeting.

7. PLANNING CONSENT ITEMS:

- A. **Consideration of Final Plat for Baker First, located on the south side of W. Edmond Road, just over one-eighth mile west of Santa Fe, west of the Braum's Restaurant (Derringer Properties, LLC, applicant) Case No. PR080023.** The site consists of one lot, one block, 0.991 acres or 43,520.67 square feet. A restaurant and several retail shops are planned. An extensive floodplain study has been done to determine the buildable portion of the lot that is out of the floodplain. A 50 foot setback from the center line should be shown on the plat. The site plan was approved by the Planning Commission on January 22, 2008.

Councilmember Page stated he was not opposed to this application because of the way the development is laid out. He stated he felt this development was a good example of squeezing a development too close to the floodplain.

Steve Manek, City Engineer, addressed Council and stated when the application was submitted it included the entire site and staff informed the applicant of the large floodplain running through the middle portion of the site. He stated staff worked with the applicant and their engineer to determine the

base flood elevation using the FEMA maps and the buildable area to ensure they were an adequate distance from the floodplain. He noted the site is basically flat but the western portion of the site slopes fairly dramatically which is what is called a backwater effect. He stated the building is set high enough to comply with City codes and is set back far enough out of the floodplain to eliminate potential erosion problems. Mr. Manek noted the detention facility and outlet structure are also out of the floodplain. He stated building in the 500 year event floodplain is not regulated but building is not allowed in the 100 year event floodplain.

Councilmember Page stated this development is in compliance with floodplain and erosion issues but he felt the development needed to be closely observed as the site is developed.

Motion by Page, seconded by Waner, to approve Planning Consent Item 7.A. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

- B. **Consideration of Final Plat for Fairfax Estates VII, located north of Covell Road, one-fourth mile east of Coltrane (J.W. Armstrong, applicant) Case No. PR060017.**
- C. **Consideration of Final Plat for Golden Gate at Twin Bridges, located east of Broadway, north of Coffee Creek Road, northwest of the existing Twin Bridges Addition (Bud Bartley and Alvin Bates, applicants) Case No. PR080021.**
- D. **Consideration of Final Plat for La Cime, located on the south side of 9th Street, 1088 feet west of Bryant Avenue (Ed Lee, applicant) Case No. PR080018.**
- E. **Consideration of Final Plat for Reeser's 2nd Addition, located on the south side of W. Edmond Road, east of Wimbledon Road (Pete Reeser, applicant) Case No. PR080014.**

Motion by Waner, seconded by Page, to approve Planning Consent Items 7.B. through 7.E. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

- F. **Consideration of Final Plat for Tuscany Villa Section IV, located east of Vista Lane, south of 2nd Street (A & V Development, Inc., applicant) Case No. PR080011. The site**

contains 8.805 acres and 37 lots and is the last phase of the addition. The four phases of the addition contain a total of 111 lots. The entire quarter section of the site was reviewed by the Planning Commission to evaluate the possibility of a future street connection in the northeast portion of the Tuscany Villa Addition. The applicant could stub out a street to the north or northeast and give up one of the lots for the possibility of a future connection if conditions follow through to change the status of Wade Martin Drive. At this time, Wade Martin Drive is only an unimproved dirt road and has not been accepted by the City. The applicant does not plan to install a street stub-out at this time since Wade Martin is a private street. The only access to 2nd Street is by use of Vista Lane. The City recently installed a traffic signal at Vista Lane and 2nd Street to increase the safety for left turns. Planning Commission recommended approval.

Councilmember Page stated he was opposed due to the connectivity issue. He stated this area contains a large number of apartment units, a mobile home park and additional apartment units are also planned. He stated he felt the area contained too much development for only a single access and another connection to 2nd Street was needed. He noted the residential units in this area will be much higher than the perimeters established to require another access and he could not support the project without a street stub-out to Wade Martin which will eventually lead to 2nd Street.

Lax Godhania, MGR, Inc., engineer representing the applicant, addressed Council and stated Wade Martin is a private street and does not comply with City standards and is not on the City's schedule for improvement. Mr. Godhania stated there will be two accesses onto Vista Lane. He requested this item be continued to July 28, 2008, in order for him to meet with the developer for further discussion regarding this issue.

Mayor O'Neil requested the site plan of The Falls development be available for review at the July 28th meeting. He stated he wanted to be able to review that development even though the site is not platted in order to see the entire area as it will be developed.

Councilmember Waner stated she also felt another access to 2nd Street is needed. She stated even though this developer is not to blame for the lack of an access, she felt there was a problem with not having another access to 2nd Street.

Motion by Waner, seconded by Page, to continue Planning Consent Item 7.F. to July 28, 2008. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

8. **Public Hearing and Consideration of Ordinance amending Edmond Plan from Restricted Commercial District to General Commercial District, located on the southwest corner of Broadway and Covell Road (Assemi Development, applicant) Case No. Z080032.** Mayor O'Neil stated the applicant requested this item be continued to July 28, 2008.

9. **Public Hearing and Consideration of Ordinance rezoning from "D-1" Restricted Commercial District to "E-1" General Commercial District, located on the southwest corner of Broadway and Covell Road (Assemi Development, applicant) Case No. Z080033.** This is a companion to the above item and would also be continued to July 28, 2008, at the request of the applicant.

Motion by Page, seconded by Waner, to continue Items 8 and 9 to July 28th as requested by the applicant. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

10. **Public Hearing and Consideration of Ordinance rezoning from "C-1" Low Density Multi-Family Planned Unit Development (PUD) to Planned Unit Development for 44 units with modified setbacks, generally located on the west side of Santa Fe Avenue, south of the Deerfield Addition, approximately one-half mile south of W. Edmond Road (BJM Properties, LLC, applicant) Case No. Z080029.** Mayor O'Neil stated the applicant requested this item be continued to July 28, 2008.

11. **Public Hearing and Consideration of Ordinance amending Edmond Plan from Single Family Dwelling Planned Unit Development (PUD) to Suburban Office District, generally located west of Kelly, north of Coffee Creek Road (Oak Tree Park Development, LLC, applicant) Case No. Z080016.** Mayor O'Neil stated the applicant requested this item be continued to July 28, 2008.

12. **Public Hearing and Consideration of Ordinance rezoning from "A" Single Family Dwelling Planned Unit Development (PUD) to "D-O" Suburban Office District, generally located west of Kelly, north of Coffee Creek Road (Oak Tree Park Development, LLC, applicant)**

Case No. Z080016. This is a companion to the above item was also continued to July 28, 2008, at the request of the applicant.

Motion by Page, seconded by Waner, to continue Items 10 through 12 to July 28th as requested by the applicants. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

13. Public Hearing and Consideration of Specific Use Permit and Site Plan for a fire sprinkled building addition to Faith Bible Church, located north of the Thunderhead Hills Addition (Faith Bible Church, applicant) Case No. U080002. Mayor O'Neil stated the applicant requested this item be continued to August 25, 2008. Councilmember Page stated he was not opposed to continuing this item to August 11th so as not to delay the project any further than necessary. Staff stated the application was continued to the August 5th Planning Commission meeting and could be placed on the August 11th City Council agenda.

Motion by Page, seconded by Waner, to continue Item No. 13 to August 11th rather than August 25th. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

14. NEW BUSINESS:

Councilmember Page stated he felt the community needed to move forward and do a better job of recycling and he challenged citizens to recycle more. He noted staff is attempting to place recycling bins at the baseball parks and the soccer field to encourage more public participation in recycling. It was noted that approximately 40% of households recycle on a weekly basis and approximately 60% to 70% recycle on a consistent basis.

15. Motion by Page, seconded by Waner, to adjourn meeting. Motion carried as follows:

AYES: Mayor O'Neil, Councilmembers Page and Waner
NAYS: None

City Clerk

Mayor