

EDMOND CITY COUNCIL MINUTES

May 22, 2006

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, May 22, 2006, in the City Council Chambers.

2. Approval of Minutes. Motion by Miller, seconded by Lamb, to approve May 8, 2006, Minutes. **Motion carried** as follows:

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

3. City Council Presentations:

A. **Presentation of Journey Lineman Certificate to Michael Jennings for completion of the Municipal Electric Systems of Oklahoma Lineman Apprentice program.**

4. Appointments to Boards and Commissions:

A. **Appointment to the Edmond Planning Commission.** Mayor Naifeh nominated Suzy Thrash for re-appointment to serve a three-year term expiring in May, 2009.

B. **Appointment to the Edmond Planning Commission.** Councilmember Page nominated Elizabeth Waner for re-appointment to serve a three-year term expiring in May, 2009.

Motion by Page, seconded by Sanford, to approve Items 4.A. and 4.B. **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) **Acceptance of City Manager's Financial Report for month ending April 30, 2006.**

2) **Acceptance of City Treasurer's Investment Report for month ending April 30, 2006.**

- 3) **Acceptance of public improvements and maintenance bonds for the following:**
 - a) Oak Tree lift station improvements
 - b) Freddy's Frozen Custard
 - c) YMCA
 - d) UCO Wantland Stadium
 - e) Tuscany Villa, Section 2
 - f) 404 Steve Douglas Drive
 - g) I-35 Complex elevated tank water storage rehabilitation

- 4) **Approval of request from Oklahoma Shakespeare in the Park (OSP) for partial reimbursement of insurance proceeds as a result of the April 30, 2005, fire and destruction of stage in Hafer Park in the amount of \$16,150.39.** Mayor Naifeh stated the Council and City staff will continue to work with OSP as partners. She stated the money will be used to help fund production costs since OSP has not made a decision yet on whether to construct a permanent stage in Edmond.

- 5) **Approval of annual agreement with the Oklahoma City/County Board of Health to perform inspections on food service establishments in Edmond.**

- 6) **Approval to grant water meter vault easement to the City of Oklahoma City for the 2020 Water Systems Master Plan project, Contract 6B.**

- 7) **Approval of transfer of appropriations for Administrative Services Department - \$10,000**

- 8) **Acceptance of electric easements from the following:**
 - a) University Plaza III, Blackwelder Avenue
 - b) University Plaza III, Waterwood Parkway
 - c) Weingarten Nostat, Inc. - Old Navy, 515 S. Bryant
 - d) Oak Tree Golf Club
 - e) RKS Ventures, Inc. - Freddy's Frozen Custard, 1925 E. 2nd Street

- 9) **Approval of supplemental appropriations for the Police Public Safety Limited Tax Fund - \$4,662**

- 10) **Approval of supplemental appropriations for the Police Public Safety Limited Tax Fund - \$100,000**

- 11) **Approval of agreement with Bark Rangers, Inc. for assistance with maintenance of a dog park, located at Bickham-Rudkin Park.** Councilmember Sanford commended Jim Bolin, Director of Parks and Recreation, for his time and efforts in working out the agreement with this group of volunteers. She noted this concept has been discussed for several years and that she felt it would be exciting for dog owners to utilize this park to walk their dogs. She also recognized Mary Robertson for her efforts to get this park established.
- 12) **Approval of Amendment No. 3 to the operation and easement agreement with Target Corporation in conjunction with prior acceptance of trail easement for the Fink Park to Hafer Park Trail project.**
- 13) **Approval of Interlocal agreement with the Oklahoma County Board of Commissioners for rural roadway reconstruction improvements on Westminster Road from Highway 66 south to 15th Street; 2nd Street from Westminster west 5/8 mile; and the west one-half of Anderson Road from 2nd Street to 15th Street.**

Motion by Lamb, seconded by Sanford, 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) **Approval to renew an annual agreement with Genuine Parts Company dba NAPA Auto Parts for extension of the existing on-site vehicle maintenance parts service agreement in the amount of \$481,904.**

Motion by Miller, seconded by Page, to approve General Consent Item 5.B.(1). **Motion carried** as follows:

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

Motion by Miller, seconded by Page, 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. **Consideration of Final Plat of The Ranch, Section III, located north of Coffee Creek Road and west of Coltrane (Dee Greninger, applicant) Case No. PR050026.**

Motion by Lamb, seconded by Sanford, to approve Planning Consent Item 8.A. **Motion carried** as follows:

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

- B. **Public Hearing and Consideration of Preliminary Plat of the Bridgewater Office Park, located east of Santa Fe, south of Christian Brothers Automotive (ERC Properties, applicant) Case No. PR050030.**

Motion by Lamb, seconded by Sanford, to approve Planning Consent Item 8.B. **Motion carried** as follows:

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

9.A. Consideration of recommendation on Tort Claim of Bass vs. City of Edmond; and/or

Steve Murdock, City Attorney, addressed Council and stated the Tort Claim is the result of a sewer backup into the claimant's home. He stated the Tort Claim Committee recommended denial of the claim.

Darren Anderson, attorney representing the claimant Ed Bass, addressed Council and stated Mr. Bass moved into his home just prior to a back-flow valve being required to prevent this type of occurrence. He noted the home passed the final inspection by the City. He stated the sewer back-up caused extensive damage and they have not been able to live in their home since the back-up occurred. Mr. Anderson stated the costs to repair the home is \$18,613.78.

Councilmember Miller noted the estimate submitted by Mr. Bass to repair the home is \$10,450 yet they are claiming more than \$18,000.

Mr. Anderson stated the additional costs are for incidental costs since they have not been able to live in their home since the incident happened.

Ed Bass addressed Council and stated they were out of town when the incident occurred. Mr. Bass stated since the letter from his attorney was submitted, additional money has been added to the claim in order for a back-flow valve to be installed.

B. Executive Session to discuss the above claim with the City Attorney (Executive Session authorized pursuant to 25 Okla. State. Sec. 307 (B)(4)).

Motion by Miller, seconded by Lamb, 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 5:52 p.m. and returned to the City Council Chambers at 6:06 p.m.

Mayor Naifeh left the City Council meeting and Mayor Pro Tem Lamb presided at the meeting.

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

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

C. Consideration of action with regard to the claim of Bass vs. City of Edmond.

Motion by Miller, seconded by Page, to authorize City Attorney to negotiate a settlement with the Claimant. **Motion carried** as follows:

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

10. NEW BUSINESS:

Mayor Pro Tem Lamb stated Mayor Naifeh distributed a copy to Council of the *Oklahoma Today* magazine which has an article about the Senior PGA being played in Edmond this week.

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

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

City Clerk

Mayor