

EDMOND CITY COUNCIL MINUTES

November 14, 2016

1. Call to Order by Mayor Lamb

Mayor Lamb called the regular meeting of the Edmond City Council to order at 5:30PM, Monday, November 14, 2016, in the City Council Chambers, 20 S. Littler, Edmond, Oklahoma. The agenda for this meeting was posted in the City First Administration Building on November 9, 2016 at 3:03PM.

PRESENT: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

ABSENT: None

2. Approval of City Council Meeting Minutes: October 24, 2016

Motion by Waner, seconded by Caldwell, to approve Minutes. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

3. City Council Presentations

A. Proclamation Recognizing November 17, 2016 as World Pancreatic Cancer Day

Mayor Lamb presented a proclamation to Jay Stern recognizing November 17, 2016 as World Pancreatic Cancer Day.

B. Proclamation Recognizing November 26, 2016 as Small Business Saturday

Mayor Lamb proclaimed November 26, 2016 as Small Business Saturday.

C. City Manager's Progress Report

City Manager Larry Stevens provided the City Council with an update on four items including Covell Widening from Fairfax Lane to I-35, the Hotel / Conference Center at I-35 and Covell, progress on the Spring Creek Trail project, and Sales Tax Revenues.

4. City Council Nominations to Boards and Commissions

A. Semi-Annual Reappointments

1. Mayor

Edmond Public Transportation Committee; term expires October 2019

Bill Dunford

Urban Forestry Commission; term expires October 2019

Carolyn Munholland

B. Fire Department Representative

Nomination of Luke Martin to the Alarm Review Board to replace Kelly Lewis; no term limit

Mayor Lamb stated that the nomination of Luke Martin to the Alarm Review Board was withdrawn.

Motion by Massey, seconded by Davis, to approve agenda item 4.A.1.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

5. General Consent Items

A. Consideration of Approval of Administrative Items

1. Acceptance of City Manager's Financial Report

Month ending September 30, 2016

2. Acceptance of donated Utility Easement from Connect UMC for Connect United Methodist Church located on the southeast corner of Coltrane and Sorghum Mill Road

3. Acceptance of donated Utility Easement from Covell & Kelly Group, LLC for Covell Village Professional Park

4. Consideration of Approval of Agreement between the Edmond Historic Preservation Trust and the Edmond Historical Society providing of operations and management of Edmond's 1889 Territorial Schoolhouse, located at 124 E. Second Street

5. Approval of Supplemental Appropriation for Applicable Document Imaging Services with ImageNet; \$58,054

6. Acknowledge receipt of Oklahoma Department of Environmental Quality (ODEQ) Construction Permits for Water and Sanitary Sewer Line Extensions for Kelly Lakes Business Park, located on the east side of Kelly, one-quarter mile south of Sorghum Mill Rd. and Woodland Park Addition 1, located north of Covell Rd. one half mile west of Douglas Blvd

7. Consideration of Acceptance of Final Plat, Improvements and Maintenance Bonds for the Prairie at Post

Motion by Davis, seconded by Waner, to approve agenda item 5.A. (1-7). Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

B. Approval of Purchases

1. **Approval and Consideration of Transportation Service Agreement with Market SSA; \$26,020.87**
2. **Approval of Grant and Purchase Contract with the Oklahoma Department of Human Services (OKDHS) to purchase two (2) replacement buses to assist the elderly and people with disabilities for Citylink; \$25,841**
3. **Acceptance of Bid and Approval of Contract for the FY16-17 Street Overlay Project and Resolution No. 28-16 appointing Purchasing Agent for the Engineering Department; \$1,954,811.80**
4. **Approval of Bid Disposition by the Purchasing Manager**
5. **Approval of Change Order No. 1 to the Construction Contract with Atlas Paving Company for the Paving and Striping Project on Post Road from SH-66 to 33rd Street; \$18,669.25 decrease**
6. **Approval of Agreement between the City of Edmond and the Oklahoma Department of Transportation for Engineering Services involving City of Edmond State Highway 66 Multi-use Trail Phase 1; \$56,747**

Motion by Caldwell, seconded by Massey, to approve agenda item 5.B. (1-6).
Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

Motion by Waner, seconded by Caldwell, to recess the City Council Meeting and convene the Edmond Public Works Authority Meeting. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

Mayor Lamb reconvened the City Council Meeting.

Councilmember Caldwell left the Council Chambers.

7. Planning Discussion Items

- A. Case #Z16-00024 Public Hearing and Consideration of Ordinance No. 3569 amending the Edmond Plan from Restricted Retail Commercial and General Commercial Planned Unit Development to Mixed Use Commercial and Multiple-**

Family Residential Planned Unit Development generally located north of 15th Street, east of Bryant Avenue. (Shops at Spring Creek, LLC) Emergency Approval Required

Bob Schiermeyer, City Planner, provided general information regarding the agenda item and stated that the Planning Commission recommended approval by a vote of 4 – 1.

Randel Shadid, representing the applicant, provided additional information regarding the application.

Bob Rogers, applicant, provided additional information regarding the style of properties developed by his company.

Gary Bridwell, Edmond Economic Development Authority (EEDA); Emily Matthews, local realtor; Mark Lyle, local resident; Mike Roarke, Chimney Hill resident; Laura Hickenback, small business owner; David Forrest, Urban Board Chair; Teal Trommil, local business owner; Josh Moore, Turtle Creek resident; Bryan Clifton, local business owner; Yvonne Pitts, local resident; Ron Ward, current Spring Creek Plaza owner; Clay Coldiron, local business owner; Phil Kerbo, Edmond Chamber; Angie Johnson, Edmond Chamber; Shannon Davies, Chimney Hill resident; and Sheri Jordan, Edmond Chamber, spoke in favor of the agenda item, including remarks about the positive economic impact of the project and the additional amenities that would be available to the citizens of Edmond.

Lydian Lee, Edmond Neighborhood Alliance (ENA); Carrie Shine, Walnut Cove resident; Megan Schmidt, Timber Ridge resident; Brad Merrick, Tall Oaks resident; Kristin McCib, local resident; and Dillon Shine, Spring Creek resident, spoke in opposition to the agenda item, including remarks about traffic issues, impact on walkability in the area, and the impact on the adjacent Hafer Park.

Victoria Woods, adjacent small business owner, spoke concerning her concerns regarding the project and stated that she would like to work with developer to come to an understanding about access from the project to her property.

Councilmember Waner stated she could not support the project, given the intersection is already Edmond's second-busiest, the apartments would be the fifth largest in town, night-time activities could be disruptive to neighbors, and the site has limited options for street improvements without destroying the landmark signature landscaping, among other concerns.

Mayor Lamb stated he lived very close to the project site and over the years had seen many changes to this area and he feels this application is a big step forward. Councilmembers Davis and Massey also spoke in support of the project, stating that the positive economic impact would be significant for the City of Edmond.

Motion by Massey, seconded by Davis, to approve agenda item 7.A.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Davis and Massey

NAYS: Councilmember Waner

Councilmember Waner stated that while she does not like emergency approval motions and normally would not vote for the emergency, that she felt that both companion items should be heard the same evening in the interest of getting the angst behind us.

Mayor Lamb explained the use of the Emergency Action on an Edmond Plan Amendment ordinance change by the Council removed the 30 day waiting period required before an ordinance becomes law.

Motion by Massey, seconded by Davis, to attach Emergency Clause to Ordinance No. 3569. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Davis, Massey, and Waner

NAYS: None

B. Case #Z16-00025 Public Hearing and Consideration of Ordinance No. 3570 rezoning from “D-1” Restricted Retail Commercial and “E-1” General Commercial Planned Unit Development to Mixed Use Commercial and Multiple-Family Residential Planned Unit Development generally located north of 15th Street, east of Bryant Avenue. (Shops at Spring Creek, LLC)

Motion by Davis, seconded by Massey, to approve agenda item 7.B. stipulating that the Site Plan for the Shops at Spring Creek Project will be reviewed by the Planning Commission as well as the City Council, that cross access for the adjacent Victoria Woods property be addressed in the Site Plan, and that the screen fence along the Turtle Creek Commons property be applied in the PUD. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Davis and Massey

NAYS: Councilmember Waner

Councilmember Caldwell entered the Council Chambers. Councilmember Massey left the Council Chambers.

C. Case #Z16-00039 Public Hearing and Consideration of Ordinance No. 3571 amending the Edmond Plan from Single Family Dwelling District and Single Family Dwelling District Planned Unit Development to Commercial Planned Unit Development for Las Palomas at Saratoga Farms Event Center generally located east of Santa Fe Avenue, a half-mile north of Covell Road. (CAM Women’s Production, LLC) Emergency Approval Required

Bob Schiermeyer, City Planner, provided general information regarding the applicant’s request and stated that the Planning Commission recommend approval by a vote of 3-1.

Randel Shadid, representing the applicant, provided additional information regarding the agenda item.

Greg Pilcher, Vice President of the Saratoga Farms Homeowners Association; Don Whitney, Wood Hill resident; Don Ashburn, Hunter’s Creek resident; Bill Stewart, Saratoga Farms resident; and Warren Shoulders, Saratoga Farms resident, spoke in opposition to the applicant’s request, stating their concerns with traffic, security, and noise.

Councilmember Caldwell suggested that Council move on the amendment and not the zoning and that the applicant work with neighbors to address concerns before the zoning agenda item comes back to Council.

Motion by Caldwell, seconded by Davis, to approve agenda item 7.C.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, and Waner

NAYS: None

D. Case #Z16-00038 Public Hearing and Consideration of Ordinance No. ___ rezoning from “A” Single-Family Dwelling District and “A” Single-Family Dwelling District Planned Unit Development to Commercial Planned Unit Development for Las Palomas at Saratoga Farms Event Center generally located east of Santa Fe Avenue, a half mile north of Covell Road. (CAM Women’s Production, LLC)

Motion by Caldwell, seconded by Davis, to continue agenda item 7.D. to the January 9, 2017 City Council Meeting. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, and Waner

NAYS: None

Councilmember Massey entered the Council Chambers.

E. Case #Z16-00032 Public Hearing and Consideration of Ordinance No. 3572 amending the Edmond Plan from Single Family Dwelling to Commercial Planned Unit Development known as Phocas Farms generally located east of High Street and approximately one-quarter mile north of Danforth Road. (Steve and Lisa Hill – Phocas Farms) Emergency Approval Required

Bob Schiermeyer, City Planner, provided general information regarding the agenda item and stated that the Planning Commission recommended approval by a vote of 5 – 0.

Bud Scott, representing the applicant, provided additional information regarding the applicant’s request.

Gloria Vass, local teacher; Rocky Yardley, Ketch Acres resident; Palmer Renshaw, adjacent property owner; Jim Flam, farm customer; Bob Eskridge, adjacent property owner; and Homer Caulker, Ketch Acres resident, spoke in favor of the applicant’s request, stating their support for the type of land use, the benefit of locally grown produce, and education opportunities.

Denise Austin, Ketch Acres resident; Kelley Work, Attorney representing opposed local residents; Mary McKlenanhan, Ketch Acres resident; Beverly Starkey, Ketch Acres resident; Gwen Weir, Ketch Acres resident; Kristin Gregory, Ketch Acres resident; and Suzanne Webman, Ketch Acres resident, spoke in opposition to the applicant’s request, stating their concerns with traffic, land use, and impact on adjacent property owners.

Motion by Waner, seconded by Caldwell, to approve agenda item 7.E.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

Motion by Caldwell, seconded by Davis, to attach Emergency Clause to Ordinance No. 3572. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

F. Case #Z16-00033 Public Hearing and Consideration of Ordinance No. ___ rezoning from “R-2” Urban Estate Dwelling to Commercial Planned Unit Development known as Phocas Farms generally located east of High Street and approximately one-quarter mile north of Danforth Road. (Steve and Lisa Hill – Phocas Farms)

Bud Scott, representing the applicant, stated that a revised PUD had been submitted at 3:30PM today. Councilmembers, not having had time to review the revised PUD, suggested continuing the agenda item to November 28th.

Motion by Waner, seconded by Davis, to continue agenda item 7.F. to the November 28, 2016 City Council Meeting. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

G. Case #Z16-00030 Public Hearing and Consideration of Ordinance No. 3573 amending the Edmond Plan from Single-Family Dwelling District to Restricted Retail Commercial, generally located on the northwest corner of Covell Road and Bryant Avenue at 1421 East Covell Road. (Jack Taylor) Emergency Approval Required

Bob Schiermeyer, City Planner, presented general information regarding the applicant’s request and stated that the Planning Commission recommended denial by a vote of 1-2.

Jack Taylor, applicant, provided additional information regarding the request.

Marsha Gore, local resident; Karen Matherson, local resident; Ort Bertum, local resident; and Judi Satterfield, local resident, spoke in opposition to the applicant’s request stating their concerns with commercial use in a residential area and their concerns with potential traffic issues.

General Council discussion indicated that the City Council would appreciate the applicant speaking with adjacent property owners and bring a larger parcel of commercial for review.

Motion by Massey, seconded by Caldwell, to approve agenda item 7.G.. Motion failed as follows:

AYES: None

NAYS: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

- H. Case #Z16-00031 Public Hearing and Consideration of Ordinance No. ___ Rezoning from “A” Single-Family Dwelling District to “D-1” Restricted Retail Commercial generally located on the northwest corner of Covell Road and Bryant Avenue at 1421 East Covell Road. (Jack Taylor)**

As the preceding item failed, agenda item 7.H. not heard by the City Council.

- I. Case #U16-00005 and #SP16-00032 Public Hearing and Consideration of Specific Use Permit, to include a Site Plan for Faith Bible Church for a an addition to the existing church located at 600 North Coltrane Road. (Faith Bible Church)**

Bob Schiermeyer, City Planner, provided general information regarding the applicant’s request and stated that the Planning Commission recommended approval by a vote of 4-0.

Motion by Caldwell, seconded by Davis, to approve agenda item 7.I.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

- J. Case# SP16-00029 Public Hearing and Consideration of Commercial Site Plan approval to include a ground sign variance, Case #VA16-00015 for a Chick-fil-A Restaurant located on the west side of I-35 at the Shoppes at Fox Lake. (Chick-fil-A)**

Bob Schiermeyer, City Planner, provided general information regarding the applicant’s request and stated that the Planning Commission recommended approval by a vote of 4-1.

Motion by Waner, seconded by Massey, to approve agenda item 7.J.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

- K. Case #U16-00006 and Case #SP16-00033 Public Hearing and Consideration of Specific Use Permit to include a Site Plan, to replace an existing cell tower with a tower located at 3840 East 2nd Street. (U.S. Cellular)**

Bob Schiermeyer, City Planner, provided general information regarding the applicant’s request and stated that the Planning Commission recommended approval by a vote of 5-0.

Motion by Davis, seconded by Caldwell, to approve agenda item 7.K.. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

8. Citizens Comments

None

9. New Business

None

10. Adjournment

Motion by Massey, seconded by Caldwell, to adjourn the City Council Meeting. Motion carried as follows:

AYES: Mayor Lamb, Councilmembers Caldwell, Davis, Massey, and Waner

NAYS: None

City Clerk

Mayor