

**SPECIAL MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BUILDING - 314 EDMOND ROAD NORTHWEST
Thursday, September 24, 2015 6:30pm**

MEMBERS PRESENT:

Mayor Valerie Thomerson, Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Robert Simpson and Councilman Bobby Williamson.

ABSENT:

None

STAFF PRESENT:

City Manager Jim Crosby, City Clerk/Treasurer Jennifer Smith, Attorney Mike Segler, City Engineer Pat Garrett, Fire Chief Andy Logan, Police Chief Scott Singer, Community Development Director John Simpson and Public Works Director Bud Stuber

1. **CALL TO ORDER** - Mayor Valerie Thomerson called the Special City Council meeting to order at 6:31 pm.
2. **ROLL CALL** - City Treasurer/Clerk Jennifer Smith called roll. A quorum was present.
3. **FLAG SALUTE** - Flag salute was led by Citizen Bill Long.
4. **INVOCATION** – Invocation was led by Councilman John Brown.
5. **CONSENT AGENDA** - All items on the consent agenda are non-controversial and may be approved by one motion for items.
 - a. Approval of Minutes for the City Council Meeting on August 24, 2015.
 - b. Approval of Minutes for the City Council Meeting on July 27, 2015.
 - c. Approval of the purchase of a new Outdoor Warning Siren from the Emergency Management Budget.
 - d. Approval of Crown Castle Agreement.
 - e. Approval of Renewal for Laserfiche LSAP.
 - f. Recognition/Approval of Purchase Order/Disbursements for the City (Claims List).
 - g. Recognition/Approval of August 2015 Financial Statements.

Mayor Pro Tem Donnie Robinson made a motion to approve the Consent Agenda. Motion was **seconded** by Councilman John Brown.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman

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John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

6. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

None

7. HEARING OF CITIZENS - Topics to include those items not listed in the agenda.

None

8. BUSINESS ITEMS –

- a. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE 610 AN ORDINANCE AMENDING THE CITY OF PIEDMONT CODE OF ORDINANCES BY AMENDING SECTIONS 11-101A, 11-301, 12-101, AND ZONING ORDINANCE SECTION 7-1 TO PROVIDE THAT A MEMBER OF THE PARK AND RECREATION BOARD, PIEDMONT LIBRARY BOARD, PLANNING COMMISSION, AND/OR BOARD OF ADJUSTMENT MAY BE REMOVED FROM OFFICE IN ADDITION TO THE REASONS SET FORTH IN SAID SECTION, BY A FOUR-FIFTHS VOTE OF THE CITY COUNCIL.**

Councilman John Brown made a motion to approve business item 8a. Motion was **seconded** by Councilman Albert Gleichmann.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gleichmann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

- b. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE 611 AN ORDINANCE PROVIDING FOR A FEE TO DEFRAY COSTS OF COLLECTING DELINQUENT FINES, FEES, COURT COSTS, AND MANDATORY STATE FEES PURSUANT TO 11 OKLAHOMA STATUTE §22-138.**

Councilman Robert Simpson made a motion to approve business item 8b. Motion was **seconded** by Councilman John Brown.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

- c. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTIN OR ORDINANCE 612 AN ORDINANCE AMENDING THE YOUTH ACCESS TO TOBACCO ORDINANCE FOR THE CITY OF PIEDMONT AMENDING THE CITY OF PIEDMONT CODE OF ORDINANCES BY AMENDING SECTIONS 10-518 AND 10-519 TO ADD "THE YOUTH ACCESS TO TOBACCO ORDINANCE FOR THE CITY OF PIEDMONT" IN THE TITLE OF EACH SECTION AND TO INCLUDE LANGUAGE DEFINING "VAPOR PRODUCTS" IN SECTION 10-519; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Donnie Robinson made a motion to approve business item 8c. Motion was **seconded** by Councilman Robert Simpson.

City Attorney Mike Segler noted this is the first reading of this item.

Mayor Valerie Thomerson commented, she asked for this item to be placed on the agenda to bring the ordinance up to meet State statue and this language is critical for the Piedmont Park Projects \$50,000 grant application.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

- d. PUBLIC HEARING ON A PRELIMINARY PLAT FOR CONSIDERATION ON A FORMAL APPLICATION FOR REZONING AND SUBMISSION OF A PUD MASTER DESIGN STATEMENT OF SKYLINE NORTH ADDITION, REQUESTED BY WINDING CREEK LIMITED PARTNERSHIP FOR A 30.446 ACRE RESIDENTIAL USE OF THE FOLLOWING DESCRIBED PROPERTY:

Basis of Bearing is N 89°31'30" E along the North line of the Northwest Quarter (NW/4) of Section Thirty-two (32), Township Fourteen (14) North, Range Five West of the Indian Meridian, Canadian County, Oklahoma.

A tract of land in the Northwest Quarter (NW/4) of Section THIRTY-TWO (32), Township FOURTEEN (14) North, Range FIVE (5) West of the Indian Meridian, Canadian County, Oklahoma, and being more particularly described as follows: Commencing at the Northwest corner of said Northwest Quarter (NW/4);

THENCE N 89°31'30" E along the North line of said Northwest Quarter (NW/4) a distance of 461.40 feet to the POINT OF BEGINNING; Thence continuing N 89°31'30" E along the North line of said Northwest Quarter (NW/4), a distance of 355.33 feet; Thence S 00°01'22" E a distance of 534.84 feet; Thence N 89°31'30" E parallel with the North line of said Northwest Quarter (NW/4), a distance of 501.49 feet to a point on the East line of the West Half (W/2) of said Northwest Quarter (NW/4); Thence S 00°01'22" E along the East line of the West Half (W/2) of said Northwest Quarter (NW/4), a distance of 1496.77 feet; Thence N 89°54'48" W a distance of 753.15 feet; Thence N 12°18'37" W a distance of 91.79 feet; Thence N 04°00'58" W a distance of 98.45 feet; Thence N 15°12'07" W a distance of 79.08 feet; Thence N 58°09'25" W a distance of 250.74 feet; Thence N 26°12'13" E a distance of 344.10 feet; Thence N 89°59'56" E a distance of 74.21 feet; Thence N 00°00'04" W a distance of 259.07 feet; Thence N 90°00'00" W a distance of 115.26 feet; Thence N 00°00'00" W a distance of 176.34 feet; Thence N 90°00'00" E a distance of 111.81 feet; Thence N 13°51'45" W a distance of 102.48 feet; Thence on a curve to the left with an arc length of 40.00 feet, a radius of 250.00 feet, a chord bearing of N 18°26'46" W and a chord length of 39.96 feet; Thence N 23°01'48" W a distance of 75.99 feet; Thence N 00°00'00" W a distance of 675.40 feet to the POINT OF BEGINNING. Said tract contains an area of 1461003.54 square feet or 33.540 acres, more or less. The property is located at the SE Corner of Edmond Road and Cemetery Road.

Mayor Valerie Thomerson opened Public Hearing at 6:39 pm.

Amy Hirom Arehart:

Celebrated 10 years in her home and is concerned with affects this PUD will have on the equality of her home. Sticking with the 30 year plan, a buffer zone should be added as well as comparable home and lots sizes to Golden Hills.

10 years ago we were told 178th street would be fixed once the Golden Hills addition was completed, this has not occurred and the road will only get worse with the increase in traffic.

Roads like Tyler and Stout will also be affected. Tyler is not prepared to handle the increase in traffic and the newly redone Stout will begin to deteriorate.

Additional concerns are with the size of water line and the sewage system that is

currently in place. Water pressure is high in Golden Hills and has resulted in many homes having severe water damage from burst pipes, water heaters and main lines erupting in front yards. This caused the City and homeowners unnecessary spending. There are other neighborhoods that have little to no water pressure such as Windmill Park. The affect of another housing addition will result in larger problems for the City. It would seem reasonable for the developer to hook into the sewer line to extend it into the new addition, if approved. Over the last spring and summer there were heavy rains that resulting in flooding of the surrounding area of the proposed PUD. Continued development of the area will increase flooding potential.

As an educator, mom of children ranging from the age of 8 to 20, I know firsthand the impact of class size on a Childs education opportunities, this development will have an immediate impact on Piedmont Schools and Students.

Over the past decade Piedmont has grown expediently and the schools have struggled to keep up. Currently there are larger than normal classroom sizes. Space that was intended for computer labs, libraries and other spaces are being designed for classrooms. This is depriving students of the diverse learning opportunities and individual attention. Additional, the increase in school population has created a significant traffic and safety issues surrounding the schools during drop off and pick up times. Traffic situations in front of the Primary and High School have become more dangerous. Continued development of high density neighborhoods is going to task the schools ability to meet the needs of students. As a parent, educator and homeowner the adverse affects of this development out weight the benefits.

Citizen Angela Betten addressed – has lived in Piedmont for 14 years, lives right in front of the Piedmont water tower. Numerous occasions I have had faucets blowing off and shot across the room and into my home.

Citizen provided pictures to Council. 3 times my yard has blown up, I have had a geyser that went over the top of my house at 1:30am in the morning and shook my entire house. No one came to my house to take care of it and the water ran down the street. Left me with a nice water bill that the City did not help to rectify. This happened 2 more times once to the north in my front yard and again to the south. Total of 3 occasions. I am smack dab in front of the Piedmont water tower. No one focused me to live there, however I did not expect to have these kinds of problems. I also have raised 2 children in Piedmont schools; I have watched the High school enlarged 3 times since I have lived here. I know the last year my daughter went to school there, she felt like a sardine, they had to walk sideways down the halls.

Another concern is the road, we were promised that the road would be taken care of, we get temporary fixes which throws temporary asphalts onto our cars, which we have to take care of. Crime rises when we start adding to our community. We are for growth of our community with prior planning and preparedness. We were told these homes would be similar in size of Golden Hills. I understand that these homes are not similar. It is a one way in and a one way out. Streets are not being widen and things are not being taken care of. In the winter the roads are slick and our cars slide on the roads. I do not want to see someone get hurt.

What we are doing is not in the best interest of everyone.

Angela asked the Council to regret the item.

Nicci Francis – addressed the Council.

As a resident of Golden Hills I have several concerns with the proposed rezoning and development. These are issues that affect the Piedmont Community as a whole. Road conditions along 178th, Tyler and Stout, and the insufficiency of Tyler to serve as a main road, the traffic conditions in front of the High school and Primary are already a safety concern which will on exasperated by the addition of 110 homes. Problems with water line capacity, sewer hookup and capacity, drainage, flooding, a school system that is already at or over capacity and the children's education will suffer as a result of overcrowded classrooms. The absence of a buffer zone between neighborhoods with larger lots and those with smaller lots as indicated by the cities 30 year plan. Other homeowners have addressed these topics so I would like to use my time to mention a topic I have not heard discussed. Sex offender residence restrictions state that sex offenders may not live within 2000 feet of a park, playground, school or daycare. This leaves 85% of Oklahoma City off limits for sex offender residence with less than 15% of the city that falls outside of the zone of safety. Areas left are industrial or high rent areas which practically exclude residence for registered sex offenders. Sex offender who may have difficulty finding a well paying job after filing conviction, this means the actual area of the city in which a sex offender can find a home is much much more smaller than 15%.

Currently there are 8 register sex offenders living in Piedmont, nearly half of them live in Colony Pointe which is the neighborhood to which the purposed PUD is frequently compared to with lot size and affordability. Because the neighborhood falls outside of the zone of safety and the homes are smaller and more affordable with rentals it is an attractive solution for a registered sex offender. The proposed development is half a mile of 2 schools, a day care and the future Piedmont Park, but it actually lays outside of the zone of safety. With the shortage of available housing sites for sex offenders this would be another neighborhood that could potentially have several living with in close proximity of

homes and schools. We owe it our community and children to at least consider the implications of creating a neighborhood that could become a haven for sex offenders.

Additional, I have been approached by concerned home owners who asked me to read the following statement:

Councilman who have a potential conflict of interest by Councilman who may profit financially from the PUD development.

Mr. Williamson you have installed windows on homes built by this developer in the past. If you wish to install windows on homes in this development you should abstain from voting on this development. Since you will financially benefit if it were approved.

Mr. Brown, if you carry any commercial insurance policies with this developer you should also abstain from voting since the approval of the PUD could potentially increase premiums collected from the development.

Councilman the residence of Golden Hills strongly protest the rezoning of the area as a PUD and the development of the housing addition which is likely to exasperate existing problems and create new ones the community is not yet equipped to handle.

Thank you for your consideration.

Mayor closed public hearing at 6:50pm.

e. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON A FORMAL APPLICATION FOR REZONING AND SUBMISSION OF A PUD MASTER DESIGN STATEMENT OF SKYLINE NORTH ADDITION, REQUESTED BY WINDING CREEK LIMITED PARTNERSHIP FOR A 30.446 ACRE RESIDENTIAL USE OF THE FOLLOWING DESCRIBED PROPERTY:**

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Councilman John Brown made a motion to approve business item 8e. Motion was seconded by Councilman Bobby Williamson.

Councilman Albert Gleichmann opened for discussion.

Councilman Albert Gleichmann asked who are the owners are of this development.

Warren Peacock – represents the developer explained that he works for Phil Boever and he does not know who the owner are of Winding Creek Limited Partnership.

Councilman John Brown asked City Attorney Mike Seglar, if it is a conflict of interest for him to vote on this item, if he has home and auto insurance with Phil Boevers. He does not have insurance on any of his commercial business.

City Attorney Mike Seglar explained, if he does not have direct financial interest where he can
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benefits from this project then there is no conflict of interest.

Councilman Bobby Williamson – explained that his business is the only window business in the town of Piedmont. His business does do home repair of window, but do not install windows on new home development. He does not currently have any contracts or business with Phil Boevers.

Councilman John Brown- asked about written protest, he did not see any written protest in the meeting packet.

City Manager Jim Crosby explained that was protest from the surrounding neighbors. The protests did not meet the 80 rule.

Discussion continued among the Council.

Mayor Pro Tem Donnie Robinson – expressed concern about the safety of the design of the development. One way in and one way out, cul –de-sacs are not large enough to handle multi fire trucks. Tyler as a secondary street is not a safe way out.

Councilman Robert Simpson – Edmond Rd. does not have the capacity to handle the traffic this development will create. The way the area is set up is not ready for this development.

Mayor Valerie Thomerson shares concerns about the safety of the road.

The Vote was:

AYE: Councilman John Brown and Councilman Bobby Williamson.

ABSTAIN: Councilman Albert Gliemann

NAYE: Mayor Pro Tem Donnie Robinson and Councilman Robert Simpson

Motion did not pass.

MOTION TO RECESS TO EXECUTIVE SESSION

Mayor Pro Tem Donnie Robinson made a motion to recess to executive session at 7:17pm. Motion was **seconded** by Councilman Robert Simpson.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

9. EXECUTIVE SESSION –

a. DISCUSSION TO UPDATE THE CITY COUNCIL ON THE STATUS OF LITIGATIONS.

Councilman Bobby Williamson left during the executive session, due to illness.

MOTION TO ADJOURN TO RECONVENE TO CITY COUNCIL MEETING.

Mayor Pro Tem Donnie Robinson made a motion to adjourn and the reconvene City Council meeting at 8:05pm. Motion was **seconded** by Councilman John Brown.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, and Councilman Robert Simpson.

NAYE: None

10. NEW BUSINESS –

a. Unplanned Items – Requires 4/5ths Majority to Declare “New Business.”

None

MOTION TO RECESS TO PIEDMONT MUNICIPAL AUTHORITY

Mayor Pro Tem Donnie Robinson made a motion to recess to the Piedmont Municipal Authority. Motion was **seconded** by Councilman John Brown.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, and Councilman Robert Simpson.

NAYE: None

11. PIEDMONT MUNICIPAL AUTHORITY

MOTION TO ADJOURN TO RECONVENE TO REGULAR CITY COUNCIL MEETING

12. CITY MANAGER REPORT –

City Manager Jim Crosby explained road work will be completed within the next 10 days. Oil will be added to Monroe and Jackson once the outside temperature is below 60 degrees.

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13. ADMINISTRATION REPORT –

None

14. COUNCILMEMBER COMMENTS-

Mayor Pro Tem Donnie Robinson asked Citizen Al Gizzley to stand up and be recognized for being inducted into the Maryland Rock and Roll Hall of Fame.

Thanked the road crews for hard work on getting road work completed.

Ready to go back to work.

Councilman John Brown – attended APPEX meeting, present 2040 plan, learned that Oklahoma City Metro growth is expected to be 1.6 million by 2040, from the 1.1 million currently. Piedmont is to be the faster growing area in the next 5 years. Advised us that our areas are light on destiny and need to be adjusted.

We do not have enough surface acres for the water that we pump. All temporary permits will go away and new permits will be issued at 1.2 acres. We need to look at the water situation very seriously. City Manager Jim Crosby has asked for a study session on the 12th, everyone needs to be in attendance.

Councilman Albert Gliemann – trying to make people happy out off of Waterloo. Things have been going well. Need to talk with Bud about water from Okarche.

Councilman Robert Simpson – Have a lot of things that need to be address. Need to look at our ordinance and make things more concrete.

15. ADJOURN –

Mayor Pro Tem Donnie Robinson made a motion to adjourn Special City Council meeting. Motion was **seconded** by Councilman John Brown.

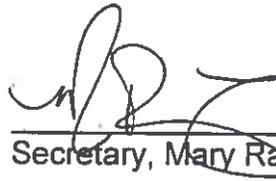
The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown and Councilman Robert Simpson.

NAYE: None



Mayor, Valerie Thomerson



Secretary, Mary Ramsey