



CITY COUNCIL MINUTES
September 4, 2018

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Tuesday, September 4, 2018, at 7:30 p.m., at 2304 Manchester Drive.

COUNCIL PRESENT

Sonny Wilkinson, Mayor
Bubba Symes, Vice-Mayor
Cathy Cummings, Council Member
Stan Alexander, Council Member
Dave Bennett, Council Member

STAFF PRESENT

Bruce K. Stone, City Manager
Beverly K. Whitener, City Treasurer
Leslie Batchelor, City Attorney
Matthew Love, City Prosecutor

ITEM I: CALL TO ORDER.

Mayor Wilkinson called the meeting to order at 7:30 p.m.

ITEM II: INVOCATION & PLEDGE OF ALLEGIANCE.

Mayor Wilkinson gave the invocation and led the Council in the Pledge of Allegiance.

ITEM III: APPROVAL OF MINUTES.

Mayor Wilkinson asked if there were any corrections, additions or deletions to the Minutes of the meeting held on August 20, 2018. There were no corrections, deletions or additions and the Council approved the Minutes of the meeting held on August 20, 2018, as written.

ITEM IV: CITIZENS DESIRING TO BE HEARD; PRESENTATIONS.

Mayor Wilkinson stated that this is the time set aside for citizens to address the Council on any matter not on the posted agenda.

The Village Library Manager Jeanine Barnett appeared before the Council and gave a report on programs at The Village Library. Ms. Barnett told the Council that the library is offering classes on health and wellness including Tai Chi.

Vice-Mayor Cumming stated that she invited Leslie Spears to the meeting to talk about the attack on her dog by another dog. Ms. Spears read a prepared statement. Ms. Spears told the Council that this is the third pet she has lost to attack by aggressive dogs. Ms. Spears provided information to the Council detailing each attack. Ms. Spears advised that she conducted a poll on Facebook and came up with several suggestions for the Council to consider, including the following:



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- *More accountability for landlords who rent to pet owners;*
- *Accountability for proper fence maintenance and repair;*
- *Education and awareness program;*
- *Information about tasers or other tools to defend against attack,*
- *Ban on certain breeds of dogs;*
- *Increase Animal Control staff.*

City Manager Bruce Stone stated that The Village has very strict ordinances regarding potentially vicious and vicious animals. Mr. Stone advised that the biggest problem is that eye witnesses to attacks and aggressive behavior often do not wish to pursue enforcement of the City's laws by signing complaints and testifying in Municipal Court. Mr. Stone also noted that State Law specifically prohibits cities from passing animal regulations that are breed-specific.

Ann Patton addressed the Council. Ms. Patton says she walks her dog in the same neighborhood as Ms. Spears and is now more worried about walking her dog. Ms. Patton stated that she hoped something could be done.

Christina Erin told the Council she grew up in The Village. Ms. Erin encouraged pet owners to keep their dogs on a leash and to file complaints when they see aggressive animals.

Jamie Parish told the Council that something needs to be done about dogs who are not on a leash in their front yards and porches. Mr. Stone advised that the Ordinance defining "animal at large" should be revised to specifically include animals that are not on a leash while the animal is on the porch, front yard or other part of the property that is not secured.

Sierra Beamer told the Council that utility companies often fail to secure the gate to the back yard allowing animals to get out.

Mayor Wilkinson thanked everyone for coming and sharing their thoughts.

ITEM V: CONSIDERATION OF RESOLUTION 09-04-2018 (A) MAKING APPOINTMENTS TO THE BOARD OF ADJUSTMENT, THE TRAFFIC & SAFETY COMMISSION AND THE VILLAGE DEVELOPMENT AUTHORITY.

After a brief discussion, the Mayor tabled action on this item until candidates for appointment to these vacancies can be identified and considered by the Council.

ITEM VI. CONSIDERATION OF ORDINANCE 740 AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO PUBLIC NUISANCES; ADDING A NEW SUBSECTION 15- 25 (22) PERTAINING TO WATER FEATURES AND



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PONDS IN RESIDENTIAL AREAS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

The Council discussed possible regulations for ponds and water features in residential areas. The Council talked about limits on the depth of water in these types of landscape features, the use of safety netting and other similar regulations to ensure the safety of residents, especially toddlers who might fall into an unprotected pond.

The Council took no formal action.

ITEM VII. DISCUSSION AND REVIEW OF CHAPTER 5 OF THE VILLAGE CITY CODE PERTAINING TO ANIMALS.

The Council reviewed provisions of Chapter 5 of The Village City Code.

City Prosecutor Matt Love appeared before the Council to explain various issues related to the enforcement of animal regulations. Mr. Love briefed the Council on the Rules of Evidence and the need for eye witness testimony in vicious dog cases (*and any misdemeanor case*).

City Manager Bruce Stone explained the difference between potentially vicious dogs and vicious dogs. Mr. Stone told the Council that an aggressive (*unprovoked*) dog that acts like it would bite or cause harm to a human or another animal is considered potentially vicious. Mr. Stone advised that an unprovoked dog that has attacked or has bitten a human or another animal is by definition, "vicious" and City Code provides for immediate impoundment of the animal. Mr. Stone told the Council that upon a finding that the dog is vicious (*eyewitness testimony*), the dog must either be put to sleep or banished from The Village. Mr. Stone further explained that the requirements placed on owners of potentially vicious dogs are onerous and include muzzling, neutering, liability insurance, dangerous dog warning signage, secure enclosures and annual registration with the City.

The Council talked about fencing and ways to ensure that animals do not escape from yards. Mr. Stone advised that the regulations in Chapter 15 pertaining to dilapidated fences should be reviewed and tightened up. Mr. Stone advised that the Oklahoma Municipal League, the Oklahoma Municipal Assurance Group and the Oklahoma Code Enforcement Association all advise against city personnel looking over fences to see the condition of the backyard or backyard fences. Mr. Stone said that, because of this limitation, the City must rely on citizens to report problems in the backyard such as dilapidated fences, high grass, trash and the like.

The Council talked briefly about the possibility of reinstating the annual licensing of animals.

The Council took no action.



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ITEM VIII. REPORTS:

a) Expenditure Reports: The Council reviewed the following expenditure reports:

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| <i>General Fund, 08/22/2018:</i> | <i>\$136,620.97</i> |
| <i>Municipal Court Bond Fund, 08/22/2018:</i> | <i>\$2,330.00</i> |
| <i>Special Park fund, 08/22/2018:</i> | <i>\$21.07</i> |
| <i>Uniform Building Code Fund, 08/22/2018:</i> | <i>\$208.00</i> |

b) Manager's Report:

City Manager Bruce Stone reported that Notices to Proceed have been issued for the four G.O. Bond resurfacing projects. Mr. Stone told the Council that Crossland Heavy Contractors would start on Britton Road east of Penn and on Penn south of Britton. Mr. Stone reported that each contract is stand-alone and has its own time for completion. Mr. Stone stated that curb and guttering replacement will be required for certain streets, which would require more time to complete. Mr. Stone provided the following construction schedule:

Project #1 – Britton and Penn, Start 9/24/2018 and complete by 11/07/2018. (31 Working Days)

Project #2- Ridgeview, Carlton, Sunnymede, Village Drive and Greystone. Start 11/08/2018 and complete by 2/28/2019. (74 Working Days)

Project #3 - Greystone, Carlisle, Hasley, Sheffield, Stratford, Village Drive and Brighton, Start 3/4/2019 and complete by 5/7/2019. (46 Working Days)

Project #3 – Lakeside, Northland and Berkshire, Start 5/8/2019 and complete by 6/21/2019. (31 Working Days)

Mr. Stone told the Council that bids for the remaining two G.O. Bond resurfacing projects would be opened on September 24. Mr. Stone stated that the two projects provide for an additional two (2) miles of street resurfacing.

The city manager reported that ADA requirements for signalization improvements at Britton and Penn will necessitate some changes to the drain inlets. Mr. Stone showed the Council preliminary drawings for intersection modification.

Mr. Stone showed the Council an illustration of the sign for Bond projects. Mayor Wilkinson suggested that “Thank You” be added to the sign. *(Note: the signs were already ordered)*



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c) Reports from the Council:

Vice-Mayor Cummings told the Council that the Lions Car Show was a lot of fun and thanked Mayor Wilkinson for allowing her to pick the Mayor's Trophy.

Vice-Mayor Cummings said she appreciated the nice letter from Dayton Ries, IAFF Local President.

Council Member Alexander stated that he would not be able to attend the next meeting.

City Manager Bruce Stone told the Council that OG&E would soon begin a massive tree-trimming campaign in the central part of The Village where there have been so many power outages. Mr. Stone further advised that the company would go the extra mile and would inspect lines using thermal imaging equipment.

ITEM IX. NEW BUSINESS.


There was no New Business to come before the Council.

ITEM X: ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 9:30 p.m.



Mayor Wilkinson



Council Member Bennett



City Clerk



Vice-Mayor Cummings



Council Member Symes

Council Member Alexander