



CITY COUNCIL MINUTES  
March 18, 2019

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, March 18, 2019, at 7:30 p.m., at 2304 Manchester Drive.

**COUNCIL PRESENT**

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

**STAFF PRESENT**

Bruce K. Stone, City Manager  
Beverly K. Whitener, City Treasurer  
Jeff Sabin, Assistant City Attorney

**ABSENT:**

Bubba Symes, Council Member

**ITEM I: CALL TO ORDER.**

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

**ITEM II: INVOCATION & PLEDGE OF ALLEGIANCE.**

Vice-Mayor Cummings 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 regular meeting held on March 4, 2019. There were no corrections, deletions or additions and the Council approved the Minutes of the meeting held on March 4, 2019, 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.

Vice-Mayor Cathy Cummings introduced Litzy Soto a Senior at Harding Charter Prep, who is shadowing her for the day.

Jane Lowther asked about the possibility of adopting a park. The city manager advised that the City has an adoption program. Mr. Stone advised that application forms and liability waivers are available for download from the City webpage.



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Jane Lowther announced that she would host a “Greet & Meet” at Johnnies on March 26 between 5:30 pm and 6:30 pm.

Bev Boyd told the Council that she has heard that there may be some deaf citizens who would like to attend City Council meetings. The city manager advised that a sign language interpreter would be provided by the City if the City is given 48 hours advance notice.

A resident from Lakeside Drive complained about speeding on Lakeside Drive and wondered what happened to the proposed three-way stop at Lakeside and Center. The city manager advised that the Traffic & Safety Commission recommended a three-way stop at Lakeside and Center but that the Council never acted on the recommendation because other options for speed control were suggested. After a brief discussion, the consensus of the Council was to revisit this issue at the next City Council meeting.

Jane Lowther asked about Neighborhood Watch signs that have been removed. The city manager advised that the City removed many old and faded signs in areas where this is no longer an active Neighborhood Watch program. Mr. Stone advised that the signs have traditionally been the responsibility of Neighborhood Watch Associations to purchase and maintain.

Tosha Lowther told the Council that lives are being endangered by the construction on Britton Road because Fire Department emergency response is hampered by lane and driveway closures. The city manager advised that the Fire Department monitors the situation closely and has contingency plans. Mr. Stone stated that the City would, however, encourage the contractor to expedite construction by the Fire Station to the extent practical.

Council Member Alexander stated that construction takes time and the citizens need to be patient.

**ITEM V: PUBLIC HEARING PROVIDING AN OPPORTUNITY FOR PUBLIC COMMENT ON THE PROPOSED REZONING OF BLOCK 000, LOTS 1, 2 & 3 OF THE MASON ADDITION TO THE CITY OF THE VILLAGE FROM A-1 SINGLE FAMILY TO C-2 COMMERCIAL; SAID PROPERTY ALSO KNOWN AS 1504 WEST BRITTON ROAD, 1512 WEST BRITTON ROAD AND 9313 WAVERLY AVENUE.**

Mayor Wilkinson announced that this is a Public Hearing to provide an opportunity for public comment on the proposed rezoning of Block 0, Lots 1, 2 and 3 of the Mason Addition to the City of The Village from A-1 Single Family to C-2 Commercial.

The applicants for rezoning appeared before the Council to answer questions about their application for rezoning of their properties. Mr. Tracy Tinsley addressed the Council and stated that the property at the corner of Britton Road and Waverly has been owned by his family for 67 years and that his mother, who lived at this address, recently passed away. Mr. Tinsley told the



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Council that he and other family members felt it was time to sell the property. Mr. Tinsley told the Council that he approached the neighbors about applying for rezoning.

The city manager informed the Council that the owner (John P. Walker) of the large vacant lots immediately to the west of the lots under consideration for rezoning, is interested in working with the residents to redevelop the corner of Britton & Waverly and that he has indicated that he would apply to rezone his property as well.

There were no protests, questions or comments from the public and the Mayor closed the Public Hearing.

**ITEM VI: CONSIDERATION OF RESOLUTION 03-18-2019 (A) PERTAINING TO THE PROPOSED REZONING OF BLOCK 000, LOTS 1, 2 & 3 OF THE MASON ADDITION TO THE CITY OF THE VILLAGE FROM A-1 SINGLE FAMILY TO C-2 COMMERCIAL; SAID PROPERTY ALSO KNOWN AS 1504 WEST BRITTON ROAD, 1512 WEST BRITTON ROAD AND 9313 WAVERLY AVENUE.**

Mayor Wilkinson stated that he would like Brent Giles, Chairman of the Planning & Zoning Commission to address the Council on this matter.

Brent Giles told the Council that he was opposed to the rezoning for the Little Caesar's next to Walmart Neighborhood Market because he was concerned about the lack of development standards at the time. Mr. Giles stated that since then, the City has adopted new sign regulations, new landscaping regulations and new architectural design standards and this is the perfect time to rezone the corner of Waverly and Britton to commercial. Mr. Giles told the Council that the Planning & Zoning Commission voted unanimously to recommend that the City Council approve the rezoning.

After a brief discussion, Council Member Alexander moved to adopt Resolution 03-18-2019 (A) approving the rezoning of Block 0, Lots 1, 2 and 3 of the Mason Addition from A-1 Single Family to C-2 Commercial. Council Member Bennett seconded the motion. The vote: Yea - Bennett, Cummings, Wilkinson and Alexander. Nay - None.

**ITEM VII: PUBLIC HEARING PROVIDING AN OPPORTUNITY FOR PUBLIC COMMENT ON THE PROPOSED REVISIONS TO CHAPTER 6, SECTION 202 (d) AND CHAPTER 24, SECTION 326 PERTAINING TO BUILDING & ZONING REGULATIONS FOR TEMPORARY CLASSROOM BUILDINGS.**

Mayor Wilkinson announced that this is a Public Hearing to provide an opportunity for the public to comment on proposed revisions to Chapter 6 and Chapter 24 pertaining to building and zoning regulations for temporary classroom buildings.



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The city manager explained that Casady School would like to expand enrollment but needs to use temporary classrooms until permanent facilities can be funded and built. Mr. Stone advised that there are two city code provisions that would make this impractical. Mr. Stone told the Council that current code only allows temporary classrooms for twenty-four (24) months, which may not be long enough for the school to raise funds and build permanent classroom space. Mr. Stone further advised that recently adopted architectural design standards would make it impractical to use temporary classroom buildings.

Jim Bonfiglio, Operations Director for Casady School, appeared before the Council and explained the school's plans for an increase in enrollment. Mr. Bonfiglio answered questions from the Council.

There were no protests, comments or questions from the public and the Mayor closed the Public Hearing.

**ITEM VIII: CONSIDERATION OF ORDINANCE 743 THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 6, SECTION 6-202, SUBSECTION (D) PERTAINING TO REPERMITTING OF TEMPORARY CLASSROOM BUILDINGS; AMENDING CHAPTER 24, SECTION 326 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; EXEMPTING TEMPORARY CLASSROOM BUILDINGS FROM ARCHITECTURAL DESIGN STANDARDS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

Assistant City Attorney Jeff Sabin briefly reviewed the proposed changes to Chapter 6 and Chapter 24 and explained how these proposed revisions resolve the issues raised by Casady School.

Planning Commission Chairman Brent Giles reported to the Council that the Planning & Zoning Commission voted unanimously to recommend that the proposed Ordinance be adopted by the Council.

After a brief discussion, Vice-Mayor Cummings moved to approve Ordinance 743. Council Member Alexander seconded the motion. The vote: Yea - Bennett, Cummings, Wilkinson and Alexander. Nay – None.

Council Member Alexander moved to approve the Emergency Clause. Vice-Mayor Cummings seconded the motion. The vote: Yea - Bennett, Cummings, Wilkinson and Alexander. Nay – None.



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**ITEM IX: CONSIDERATION OF RESOLUTION 03-18-2019 (B) AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH LAUD STUDIO FOR PROFESSIONAL SERVICES RELATED TO TAX INCREMENT DISTRICTS #1 AND #4 AND AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT FUND BUDGET.**

City Manager Bruce Stone told the Council that Resolution 03-18-2019 (B) would authorize the Mayor to sign an agreement with LAUD Studio for preliminary professional services related to public improvements for TIF Districts #1 and #4. Mr. Stone noted that the types of public improvements envisioned for the TIF Project Area were identified in The Village Vision final report.

Mr. Stone advised that Love's Travel Stops is moving forward quickly with renovation of the old Hertz building and that the City would need to coordinate with Love's to develop a plan for public improvements in the TIF Project Area. Mr. Stone advised that TIF Revenues are currently not available to fund these preliminary planning services and recommended the amendment of the Capital Improvement Fund budget to pay for these services. Mr. Stone told the Council that the cost of the proposed services is capped at \$45,000.

After a brief discussion, Council Member Bennett moved to approve Resolution 03-18-2019 (B). Vice-Mayor Cummings seconded the motion. The vote: Yea – Bennett, Cummings, Wilkinson and Alexander. Nay – none.

**ITEM X: REPORTS:**

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

- General Fund, 03/04/2019	\$7,187.61
- Capital Improvement Fund, 03/04/2019:	\$1,097.12
- General Fund, 03/06/2019	\$115,554.76
- Capital Improvement Fund, 03/06/2019	\$9,490.00
- Animal Bond Fund, 03/06/2019	\$20.00
- Special Park Fund, 03/06/2019	\$55.48
- G.O. Bond Fund, 03/07/2019	\$455,644.38
- General Fund, 03-13-2019	\$6,253.82
- Special Park Fund, 03-13-2019	\$31.26
- G.O. Bond Fund, 03-13-2019	\$1,345.00

**b) Manager's Report:**

City Manager Bruce Stone reported that the monthly sales tax check for March was \$473,746.79, which is an increase of \$44,250 or 10.3% over the same period last year.



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Mr. Stone also reported that the monthly Use Tax check was \$95,857.97, which is an increase of \$52,784 over the same period last year.

City Manager Bruce Stone reported that the City received four bids for drainage improvements on Northland, Sunrise and Orlando (Bond Project #7). Mr. Stone told the Council that the low bid was submitted by Brewer Construction for \$462,380.30. Mr. Stone told the Council that this is a good price and that Brewer Construction is a good contractor. Mr. Stone advised that the contract with Brewer Construction would be on the next agenda and would provide for work to start by April 15 and be complete within 120 calendar days.

The city manager reported that Standard Testing's reports on three asphalt tests indicated that the asphalt failed the design test for S4 Superpave. Mr. Stone advised that the three samples that failed specifications were mislabeled and were not for Bond Project #6 as shown on the report but for Bond Project #1. Mr. Stone told the Council that the asphalt in question was used for the leveling course on Northland and Berkshire Way and the asphalt complies with design standards approved by the city engineer.

Mr. Stone gave the Council a brief report on the status of various bond projects. The city manager noted that work is progressing at a satisfactory pace on Britton Road but noted that ODOT has indicated that they would be issuing a couple of Change Orders to make changes to the construction plans. Mr. Stone advised that 15 water lines crossing Britton Road are not deep enough to allow the subbase soil to be tilled and mixed with the concrete millings (*soil stabilization*) and ODOT approved the use of 6" of compacted gravel instead. Mr. Stone told the Council that the other Change Order being considered pertains to the addition of an extra pay item for the rebar needed to reinforce the concrete. Mr. Stone advised that ODOT will pay 80% of the cost increases and the City would pay the balance of approximately \$40,000.

The city manager reported on high winds caused by the so-called "bomb cyclone" that came through The Village on Wednesday, March 13<sup>th</sup>. Mr. Stone advised that high wind was a factor in a fire that occurred along the north boundary of Bumpass Park between the Village Park Condos and the park. Mr. Stone told the Council that high winds also caused a power pole by CVS to snap, which resulted in a power outage at Casady Square.

Mr. Stone reported that he met with officials of Embark recently to explore the possibility of extending bus service to The Village. Mr. Stone told the Council that Embark would send information about possible routes and cost estimates for the Council to consider. Mr. Stone advised that bus service would require a substantial subsidy.



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The city manager told the Council that LitterBlitz 2019 would be on April 27. Mr. Stone advised that the goal of the cleanup would be to remove trash along the designated route of the Memorial Marathon, which will go through The Village on April 28. Vice-Mayor Cummings asked if there would be a Marathon Cheer Section this year. The city manager advised that he had not heard anything about this event from the citizens group that has organized the event for the past three years.

### **c) Reports from the Council:**

Council Member Bennett told the Council that he had a discussion with the owner of the 7-11 property (Britton and Penn) about the removal of underground gas tanks. Mr. Stone stated that the city engineer is evaluating a design for a roundabout at this intersection and that it does not appear that it would be necessary to encroach on this property if the Council decides to put in a roundabout.

Council Member Bennett stated that some construction signs are still placed on Nichols Road.

Vice-Mayor Cummings reported that she attended the Certified Healthy Cities award luncheon in Norman. The vice-mayor said The Village received an award for qualifying as a Certified Healthy City. Vice Mayor Cummings said she would be working with TSET to find ways to improve the City's Certified Healthy City rating.

Assistant City Attorney Jeff Sabin reminded the Council of the Public Hearing scheduled for April 1. The Council discussed whether to place the proposed ordinance regulating boats, trailers, RVs and other commercial vehicles on the agenda for consideration after the Public Hearing. The consensus of the Council was to hold the hearing first and to schedule consideration of the ordinance at another meeting.

Assistant City Attorney briefed the Council on a question raised about the possibility of excluding cash advance businesses from the C-2 Commercial Zoning District. Mr. Sabin advised that the state regulatory scheme for institutions like this would make it inadvisable for the City to further regulate the location of these types of establishments.

Mayor Wilkinson asked about home alarms that frequently sound due to power interruptions. The city manager advised that Code Enforcement has contacted the owner of the alarm in question to ask that the alarm be deactivated. Mr. Stone noted that the home is vacant.

Mayor Wilkinson told the Council that he met with the president of The Villas Home Owner's Association and discussed several topics including drainage issues and a fence in disrepair. The city manager explained the existing drainage issues and stated



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that these are private drainage matters outside the purview of the City. Mr. Stone advised that the City would contact Meadowbrook Oil Company about the fence.

Mayor Wilkinson reported that the OKC I-89 School Board voted unanimously to close Andrew Johnson Elementary School and several other schools within the district. The Mayor said that he hoped that something good would go into the facility and that perhaps the open space could be made into a public park.

**ITEM XI.**      **NEW BUSINESS.**

There was no New Business to come before the Council.

**ITEM XII:**      **ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 9:15 p.m.

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Mayor Wilkinson

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Vice-Mayor Cummings

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Council Member Bennett

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Council Member Symes

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City Clerk

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Council Member Alexander