



CITY COUNCIL MINUTES
June 3, 2019

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, June 3, 2019, at 7:30 p.m., at 2304 Manchester Drive.

COUNCIL PRESENT

Cathy Cummings, Mayor
Dave Bennett, Vice-Mayor
Sonny Wilkinson, Council Member
Adam Graham, Council Member

STAFF PRESENT

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

ABSENT

George Colbert, Council Member

ITEM I: CALL TO ORDER.

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

ITEM II: INVOCATION & PLEDGE OF ALLEGIANCE.

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

ITEM III: APPROVAL OF MINUTES.

Mayor Cummings asked if there were any corrections, additions or deletions to the Minutes of the special meeting held on May 22, 2019. There were no corrections, deletions or additions and the Council approved the Minutes of the meeting held on May 22, 2019, as written.

ITEM IV: CITIZENS DESIRING TO BE HEARD; PRESENTATIONS.

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

Shawn Burkhart asked about the issue of allowing "urban chickens". The Council briefly discussed the topic but took no action.

ITEM V. CONSIDERATION OF ORDINANCE 746 OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING THE FOLLOWING PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE TO PROVIDE CLARIFICATION AND ADDITIONAL SAFEGUARDS FOR ANIMAL CONTROL AND DOG SAFETY: CHAPTER 5, ARTICLE I, SECTION 5-7; CHAPTER 5, ARTICLE II, SECTION 5-24; THE TITLE OF CHAPTER 5, ARTICLE II, DIVISION 2; CHAPTER 5, ARTICLE II, SECTIONS 5-75 THROUGH 5-78;



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THE TITLE OF CHAPTER 5, ARTICLE II, DIVISION 3; AND CHAPTER 5, ARTICLE II, SECTIONS 5-102 THROUGH 5-103; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

City Manager Bruce Stone explained that the Ordinance pertaining to vicious and potentially vicious animals came about as a result of a dog attack (Moore) in which a pit bull ripped the arm off of a twelve-year old boy. Mr. Stone advised that a group of citizens came to the Council and asked that strict regulations be adopted. Mr. Stone advised that the resulting ordinance reflected the sentiment at the time and is very strict.

City Attorney Leslie Batchelor provided a redline copy of Ordinance 746 and explained the major changes.

Ms. Batchelor advised that the proposed changes to Sections 5-7 and 5-24 improve the City's confinement requirements and treats dogs differently from cats. Ms. Batchelor stated that pet owners and anyone else responsible for any structure, pen, enclosure, or yard that may harbor an animal would now be required to maintain such areas in a secure manner that would prevent animals from running at large. Dogs must be confined by means of a fence or similar structure of sufficient height and strength to prevent a dog from escaping the confinement or extending its head through any enclosure in the structure, or by keeping the dog inside a house or building

Ms. Batchelor told the Council that all references to "vicious" dogs have been replaced by "dangerous" dogs, including the regulations for potentially vicious and vicious dogs. Ms. Batchelor stated that this language change reflects the risk caused by animals that may be territorial or protective but are not trained or by nature "vicious." Ms. Batchelor told the Council that the word "Dangerous" is the term used in state law (see 4 O.S. § 44).

The city attorney further advised that the requirements for keeping a potentially dangerous animal have been amended to give the municipal judge additional discretion as to which requirements will be imposed on the animal, given the specific facts and circumstances. Ms. Batchelor stated that, in addition to the discretion, additional requirements have been incorporated that would allow the judge to mandate obedience/behavioral training or other requirements, as may be reasonable and appropriate.

City Manager Bruce Stone advised that he sees the need for an addition to Section. 5-102, Subsection f). Mr. Stone stated that it would seem appropriate to add another option providing for the Judge to rule that the animal is not dangerous but remains potentially dangerous and authorizing the Judge to determine the appropriate remedial actions to be taken by the animal owner.

The Council discussed Section 5-24 pertaining to dogs at-large and noted that some wording changes would be appropriate.



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City Attorney Leslie Batchelor offered the following amendments:

1. Add the following words to the end of the paragraph in Section 5-24 pertaining to dogs at-large: *“or, if a person is present, by a tether of at least ten (10) feet consisting of material of sufficient strength to prevent the dog from escaping.”*
2. Add a new subsection 2 to Section 5-102, Subsection f) to read as follows: *“That the animal is or remains potentially dangerous, in which event the judge shall order the animal to be regulated in accordance the requirements listed in Section 5-77”*. Ms. Batchelor noted the need to renumber the remaining subsections.

After a discussion, Council Member Wilkinson moved to approve Ordinance 746 as amended. Council Member Graham seconded the motion. The vote: Yea – Graham, Bennett, Cummings and Wilkinson. Nay – None.

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

ITEM VI: REPORTS:

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

- G.O. Bond Fund, 05/23/2019:	\$38,050.80
- Capital Improvement Fund, 05/23/2019:	\$7,554.72
- Animal Bond Fund, 05/23/2019:	\$90.00
- G.O. Bond Fund, 05/23/2019:	\$110.24
- G.O. Bond Fund, 05/23/2019:	\$287.75
- G.O. Bond Fund, 05/29/2019:	\$460.00

b) Manager's Report:

City Manager Bruce Stone gave the Council a report on various bond projects underway.

The city manager reported that the Council needs to schedule a public hearing for the proposed FY 2019-20 Budget. Mr. Stone suggested that the hearing be held in conjunction with another meeting already scheduled for Friday, June 14. The Council agreed.

Mr. Stone gave the Council a report on upcoming items for consideration at the next regular meeting to be held on June 17 including the approval of the FY 2019-20 budget.



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Mr. Stone noted that the proposed Capital budget would require that some projects and purchases to be put off until the required capital improvement sales tax revenue has been received. Council Member Graham stated that the Fire Department SCBA equipment tentatively approved by the Council should be prioritized to avoid scheduled cost increases.

Mr. Stone reported that according to EMSA, the City's annual subsidy would increase by 3% over the last year for annual total of \$70,912.

The city manager told the Council about a medical emergency that occurred at OnCue recently in which onlookers rendered aid to a motorist. Mr. Stone advised that when the Fire Department arrived, first responders took over administration of CPR and were able to get a pulse. Mr. Stone advised that he did not know the status of the victim, who was transported to the hospital. *(Note: This information appeared on the police log and is just provided a brief description of the event)*

c) Reports from the Council:

Council Member Graham thanked the City Attorney for providing a comparison of regulations that other cities in the area have adopted pertaining to chickens in residential areas.

Council Member Graham told the Council that the Police Department vs. Fire Department softball game is scheduled for June 15 at Casady School.

Council Member Graham stated that a Moms Demand Action (for gun sense) event would be held downtown on Saturday, June 8.

Vice-Mayor Bennett asked if the curb cut changes discussed with respect to the Britton Road project would be implemented. The city manager advised that he believes so, but that he would confirm this with the City Engineer. (Johnnies, Casady Apartments and Pirates Alley)

Vice-Mayor Bennett stated the he is concerned about potential undermining of Britton Road as a result of torrential rain. Mr. Stone advised that ODOT inspectors are on site daily and that Public Works personnel have also been monitoring the construction. Mr. Stone advised that any construction issues that we note will be brought to the attention of the proper authorities.

Vice-Mayor Bennett offered kudos to The Village Police Department for their response to a recent rash of auto burglaries in his neighborhood.



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Council Member Wilkinson thanked the city manager for all the work on the budget and for the progress in resurfacing streets in Ward 5.

Council Member Wilkinson stated that something needs to be done about the natural spring at Carlton and Gladstone. Council Member Wilkinson said that the French drain installed by City might need to be expanded to handle the increase in ground water.

Council Member Wilkinson congratulated City Attorney Leslie Batchelor for receiving this year's Urban Pioneer Award.

Mayor Cummings said the Council is very proud of Leslie and stated that it is an honor to work with her.

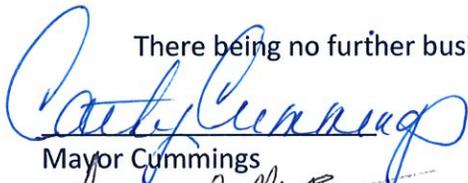
Mayor Cummings reported that the Star Wars Movie for June 1 was cancelled due wet conditions in the park and would be rescheduled. Mayor Cummings also noted that Yoga in the Park would also be rescheduled.

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 9:05 p.m.



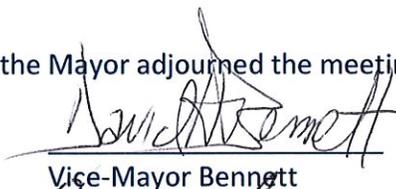
Mayor Cummings



Council Member Colbert



City Clerk



Vice-Mayor Bennett



Council Member Graham



Council Member Wilkinson