



CITY COUNCIL MINUTES
February 21, 2022

The City Council of the City of The Village, Oklahoma, met in Regular Session on Monday, February 21, 2022, at 6:30 p.m., at The Village City Hall located at 2304 Manchester Drive, The Village, OK 73120.

COUNCIL PRESENT

Sonny Wilkinson, Mayor
Adam Graham, Vice-Mayor
Wynter Griffis, Council Member
Bubba Symes, Council Member

STAFF PRESENT

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

ITEM I: CALL TO ORDER.

Mayor Wilkinson called the meeting to order at 6:30 p.m.

ITEM II: INVOCATION & PLEDGE OF ALLEGIANCE.

Mayor Wilkinson asked for a moment of silence for Ukraine and led the Council in the Pledge of Allegiance

ITEM III: APPROVAL OF MINUTES OF THE MEETINGS HELD ON FEBRUARY 07, 2022.

Mayor Wilkinson asked if there are any corrections, additions or deletions to the Minutes of the Special Meetings held on February 7, 2022, at 9:00 a.m. and February 7, 2022, at 6:00 p.m. There were none.

Vice-Mayor Graham moved for the approval of the Minutes of the meeting held on February 7, 2022, at 9:00 a.m., as written. Council Member Griffis seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

Vice-Mayor Graham moved for the approval of the Minutes of the meeting held on February 7, 2022, at 6:00 p.m., as written. Mayor Wilkinson seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

ITEM IV. CITIZENS DESIRING TO BE HEARD, PROCLAMATIONS, PRESENTATIONS.

Jane Lowther appeared before the Council and mentioned the large slide that was removed from Meeker Park. The city manager advised that LAUD Studio is not qualified to advise on the needed modifications to the slide and the Council will need to provide direction on what to do with it.



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Ms. Lowther suggested a program, which might be called “Junior Patrols” where kids could help people cross streets and would be assigned to help in various parks. The Council briefly discussed Adopt-A-Park programs.

Ms. Lowther reminded the Council that Triad meets at City Hall on the first Monday of the Month at 1:00 p.m. Ms. Lowther stated that Triad is a program for seniors that provides education about crime and safety issues that seniors need to be aware of.

Martie Oyler, Regional Manager for Oklahoma Natural Gas Company and Dustin Frederick, ONG Attorney appeared before the Council. Ms. Oyler explained to the Council that the company is seeking a franchise election to grant a non-exclusive franchise to operate in The Village. Ms. Oyler stated that the company has served The Village since 1950 and pays the city at 2% Gross Receipts tax on the sale of gas. Ms. Oyler stated that there has never been an agreement with the city pertaining to the use of City rights-of-way and that there is case law that leads the company to believe that all the cities they serve should be covered by a franchise approved by the voters. Ms. Oyler advised that the company would pay all costs of the election.

Dustin Frederick explained the legal issues pertaining to franchise agreements and the lack thereof, the maximum term of a franchise under law, and the differences between franchise tax and gross receipts tax.

Vice-Mayor Graham asked what the benefit is for residents to have a franchise agreement. Vice-Mayor Graham said he does not see any benefit to the city and that he would never vote for it.

Mayor Wilkinson stated that he would not want to “lock-in” the City for a long time but, other than that, did not have any issues with the idea.

City Attorney Jeff Sabin advised that he would review the case law and report to the Council. Mayor Wilkinson asked that this placed on the agenda for discussion at the next City Council Meeting.

ITEM V: CONSIDERATION OF RESOLUTION 02-21-2022 (A) PERTAINING TO A SPECIFIC USE PERMIT FOR TRIBE GYM TO OPERATE AT 2103 WEST BRITTON ROAD.

Tiffany Gwynn, owner of Tribe Gym, appeared before the Council to answer questions about her business at 2103 West Britton Road. Ms. Gwynn explained that she has been in business since 2015 and that her business is growing. Ms. Gwynne stated that the space she has leased in Casady Square is 10,000 square feet and that she is open for business from 5:00 a.m. to 7 p.m.



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City Manager Bruce Stone advised the Council that the Planning & Zoning Commission recommends that the Council approve the Specific Use Permit for Tribe Gym.

After a brief discussion, Vice-Mayor Graham moved to approve Resolution 02-21-2022 (A) approving a Specific Use Permit for Tribe Gym to operate at 2103 West Britton Road. Council Member Symes seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

ITEM VI: CONSIDERATION OF ORDINANCE 764 AMENDING CHAPTER 13, SECTION 13-228, SUBSECTION 1 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; ADOPTING PAVED PARKING STANDARDS FOR COMMERCIAL LOTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY.

City Manager Bruce Stone advised that this Ordinance was not considered at the last meeting because a four-fifths majority is required to adopt the Emergency Clause and only three Council Members were present. Mr. Stone advised that this Ordinance would make paved parking a requirement for both residential and commercial lots.

Council Member Griffis asked what sparked this action. Mr. Stone advised that the Building Inspector recently noticed that Quality Foods expanded their parking lot by installing a wooden parking area. Mr. Stone advised that this is currently illegal on residential lots because wood does not meet the definition of a paved surface, but use of wood is currently not illegal on commercially zoned property.

Vice-Mayor Graham asked if this new ordinance would become effective immediately. Mr. Stone advised that it would, provided the Emergency Clause is adopted.

After a brief discussion, Council Member Griffis moved to approve Ordinance 764. Vice-Mayor Graham seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

Council Member Symes moved to adopt the Emergency Clause. Mayor Wilkinson seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

ITEM VII: CONSIDERATION OF RESOLUTION 02-21-2022 (B) AMENDING THE GENERAL FUND, CAPITAL IMPROVEMENT FUND BUDGETS FOR FY 2021-22.

City Manager Bruce Stone advised that amendments are needed to the General Fund and Capital Improvement Fund Budgets. Mr. Stone reviewed the proposed amendments as follows:



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Budget Summary, Revenues (Exhibit A – Page 1)

- ***General Fund:*** *The starting fund balance is amended to reflect the actual amount of surplus cash on hand on July 1, 2021.*
- ***General Fund:*** *Miscellaneous Revenue is amended by reducing the budget to reflect the actual amount of ARPA Funds received this fiscal year.*
- ***Capital Improvement Fund:*** *Intrafund Transfers is amended to show the adjusted amount of funds that need to be transferred to the Capital Improvement Fund. (Note: This is covered in detail on the Intrafund Transfers Budget on Page 2 of Exhibit A).*

Budget Summary, Expenditures (Exhibit A – Page 1)

- ***General Fund:*** *Transfers Out is adjusted. This is covered in detail on the Intrafund Transfers Budget on Page 2 of Exhibit A.*
- ***Capital Improvement Fund:*** *The highlighted amounts are adjusted budget totals. These are shown in detail on Exhibit A – Page 3 and 4.*
- ***Intrafund Transfers (Exhibit A – Page 2)*** *This table shows the funds that come from or pass through the General Fund and are transferred to other funds during the fiscal year.*
- ***Dedicated Sales Tax.*** *This figure is adjusted to reflect actual sales tax collections year to date.*
- ***Fire Truck Lease Payment & Capital Projects.*** *This amount reflects the General Fund revenues that are needed, beyond ARPA and dedicated Capital Improvement Sales Tax, to fund the approved Capital Improvement Fund budget.*
- ***Insurance Reimbursement.*** *This entry is needed to reflect the insurance payment received for lightning damage to the Police Department radio system. The funds were transferred to the Capital Improvement Fund and the replacement cost of \$64,000 will be expended from the Capital Improvement Fund Budget. The difference in the two amounts represents the City's deductible.*
- ***ARPA Funding.*** *This figure is adjusted to show the actual amount of ARPA funds received this fiscal year.*



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- **Capital Improvement Fund Line-Item Budget.** *Mr. Stone showed the Council a table showing each line item in the Capital Improvement Budget and an explanation of the proposed changes. The Council discussed a proposed change to the line item for the allocation of ARPA funds for sewer outfall line improvements on Village Drive. Mr. Stone explained that the scope of the sewer line improvements cannot be determined until an infiltration and inflow (INI) study is completed. Mr. Stone advised that the existing line is only a problem during wet weather and that the proper way to resolve the problem cannot be determined until the engineering report is completed. Mr. Stone advised that the proposed change in the budget only pertains to the first half of ARPA funds allocated to the city and that an additional \$859,000 will be received later this calendar year. Mr. Stone advised that all the remaining ARPA funds could be used, if needed, for sewer line improvements. After a brief discussion, the Council decided to increase the (Capital Improvement Fund) engineering budget to \$200,000 to complete the inflow and infiltration (INI) study. In addition, the mayor asked that the line-item description be amended to reflect that the additional engineering appropriations is for the INI study.*

After a brief discussion, Mayor Wilkinson moved to approve Resolution 02-21-2022 (B) amending the General Fund and Capital Improvement Fund budgets for FY 2021-22 with stated changes. Council Member Griffis seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

ITEM VIII: CONSIDERATION OF RESOLUTION 02-21-2022 (C) DECLARING CERTAIN PROPERTY SURPLUS AND OBSOLETE AND AUTHORIZING ITS SALE OR DISPOSAL.

City Manager Bruce Stone reviewed a list and photos of surplus property that the various departments would like to sell or discard.

After a brief discussion, Vice-Mayor Graham moved to approve Resolution 02-21-2022 (C) declaring property surplus and obsolete and authorizing its sale or disposal. Council Member Symes seconded the motion. The vote: Yea – Symes, Griffis, Graham, and Wilkinson. Nay – none.

ITEM IX: REPORTS, CORRESPONDENCE, ETC.

- a) **Review of Expenditures:** *The Council reviewed the Expenditure Reports. The city manager noted and explained certain items on the reports.*



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b) **Manager's Report:**

City Manager Bruce Stone gave the Council a report on the status of various sidewalk projects. Mr. Stone told the Council that there is a water ponding problem at the intersection Northland and Britton. Mr. Stone advised that the new curb line is too low for the water to properly drain and that a portion of the intersection of Northland and Britton will need to be replaced to provide proper drainage. Mr. Stone also reported a problem with one concrete test that showed evidence of freezing. Mr. Stone advised that the contractor has been directed to take core samples for testing and that the contractor would replace the affected section of sidewalk if the core samples do not meet or exceed the approved design strength of 3,500 PSI at 28 days. Council Member Symes stated that the new driveways look nice, and the contractor appears to be doing quality work.

The city manager reported that Sidewalk Project 4 was supposed to include pedestrian crossing improvements at Britton and May. Mr. Stone advised that the pedestrian crossing improvements had to be delayed because Oklahoma City took approximately six (6) months to approve the plans. Mr. Stone advised that the Council could consider this project for funding in FY 2022-23. (Note: The signalization is in The Village but belongs to the City of Oklahoma City)

Mr. Stone noted the traffic control plan submitted by Casady School that the school says will be needed during the construction of an addition to the Primary Division. Mr. Stone advised that the school plans to start construction later this spring. Mr. Stone told the Council that Jim Bonfiglio will come to the next meeting to explain the plan and answer questions.

The city manager reviewed bond analysis spreadsheets showing options for the sale of bonds and how the different options would affect millage levies. Mr. Stone advised that each option has its pros and cons. Mr. Stone told the Council that stretching the sale of bonds out over a longer period would almost certainly result in higher interest rates and construction costs. Mr. Stone further stated that selling the bonds over a shorter time span would result in a higher peak for the millage levy. After a brief discussion, the Council asked for a representative of Municipal Finance Services of Oklahoma to come to the next meeting to discuss options. Mr. Stone also asked the Council to be thinking about the bond projects they would like to do first.

Mr. Stone noted that OMAG is accepting nominations for election to the OMAG Board of Trustees.



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The city manager noted the report from LAUD Studios pertaining to a meeting with library staff to discuss the TIF Project Plan. Mr. Stone advised that the library staff had several valid concerns that should be addressed in the final construction plans.

c) **Monthly Department Reports.** *The Council reviewed the Monthly Department Reports. The city manager noted and explained certain items on the reports.*

d) **Reports from Council:**

Council Member Symes asked about the status of the TIF #1 Project. The city manager advised that LAUD Studio is working on the plans, specifications and bidding documents and hopes to have them ready to go to bid this spring. Mr. Stone advised that Johnson & Associates are doing the civil engineering work.

The Council briefly discussed the special report submitted by the Animal Welfare Officer. The Council asked that the Animal Welfare Officer come to the next meeting to discuss his ideas and answer questions.

Council Member Griffis reported that she had completed the Newly Elected Officials Training, which is required by state law within one (1) year of taking office. Council Member Griffis stated that the training was long, but informative.

Vice-Mayor Graham stated that the house behind him on Hasley Drive is vacant and the fence is in disrepair and that there are other problems with maintenance of the property.

Vice-Mayor Graham thanked the voters for approving the two bond issues on February 8th.

City Attorney Jeff Sabin told the Council that mediation with Crossland Heavy Construction will be on April 19th.

The city manager reported that St. Eugene's Catholic Church has submitted applications for rezoning and street closure which will be on the agenda for March 21, 2022. Mr. Stone advised that the application for a PUD seeks, among other things, zoning to allow the building of a gym and early childhood center. Mr. Stone advised that the church also wants to close and then vacate through district court the portion of West Utica Drive that lies east of Greystone and which dead ends at the church property.



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Mayor Wilkinson reported on the Grand Opening for Scooter's Coffeehouse. The mayor told the Council that the new owner, Tricia Burt, was very complimentary of The Village.

The mayor reminded citizens of the City Council election on April 5th and urged citizens to go vote. The Council briefly discussed placing signs at major intersections reminding people to vote.

ITEM X: **NEW BUSINESS.**

There was no new business to come before the Council.

ITEM XI: **ADJOURNMENT**

There was no further business to come before the Council and the Mayor adjourned the meeting at 8:20 p.m.

Mayor Wilkinson

Vice-Mayor Graham

Council Member Symes

Council Member Griffis

City Clerk

Unfilled Position