



CITY COUNCIL MINUTES
July 18, 2022

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, July 18, 2022, at 6:30 p.m., at 2304 Manchester Drive.

COUNCIL PRESENT

Wynter Griffis, Vice-Mayor
Sonny Wilkinson, Council
Bubba Symes, Council Member
Sean Cummings, Council Member

STAFF PRESENT

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

ITEM I: CALL TO ORDER.

Vice-Mayor Griffis called the meeting to order at 6:30 p.m.

ITEM II. PLEDGE OF ALLEGIANCE.

Vice-Mayor Griffis led the Council in the Pledge of Allegiance.

ITEM III. APPROVAL OF MINUTES OF THE MEETINGS HELD ON JUNE 20, 2022.

The mayor asked if there were any deletions, corrections, or additions to the Minutes of the Regular City Council meeting held on June 20, 2022. There were none. Council Member Cummings moved to approve the Minutes, as written. Council Member Symes seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

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

Council Member Symes shared his thoughts on the recent situation involving former Mayor Graham. Council Member Symes summarized the events that took place and why the former Mayor's actions not only cast a bad light on the City Council, but also on citizens of The Village, and the City of Nichols Hills. Council Member Symes stated that he, as well as Council Member Wilkinson, attempted to mentor and provide advice to the former Mayor but that the advice was not taken, and apologies were not made. Council Member Symes noted that statements in the former Mayor's resignation letter do not reflect the views of his former colleagues on the Council and that The Village owes an apology to Nichols Hills. Council Member Symes ended his statement by saying, "Mr. Graham you owe us and Nichols Hills an apology."

Cheryl McClure, 3020 Kerry Lane, expressed her concern with regulations pertaining to bed and breakfasts (Airbnbs) in residential zones. City Manager Bruce Stone advised that the City Council adopted regulations about a year ago allowing bed and breakfasts, provided they are licensed and meet certain conditions. Mayor Wilkinson added that the owner must live within fifty (50) miles of the Airbnb. Ms. McClure asked, "How many Airbnbs is the City going to allow



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and what are you going to do?" City Attorney Jeff Sabin stated that OKC requires permits to be approved by the Board of Adjustment (variance) and that the license fee is \$175. The Council agreed to review the requirements for Airbnbs.

David Bennett appeared before the Council and thanked the Council for dealing with the situation created by former Mayor Graham. Mr. Bennett stated that an apology would have easily resolved this situation and the controversy would have quickly died down. Mayor Wilkinson stated that when situations like this arise, "Why can't we just talk and not get negative and personal? We have to do better."

Tammy (a friend of former Mayor Graham) arrived at the meeting late and gave an impassioned statement. Tammy stated that Adam is a young man and people need to stop being so judgmental. Tammy further stated that Adam is a "good guy, smart, determined and has a good heart. He is young and will learn some things."

Manny Siemen attended the meeting and asked for the replacement of a missing street name sign at Lakeside and Orlando.

ITEM V: CONSIDERATION OF RESOLUTION 07-18-2022 (A) AUTHORIZING THE CITY MANAGER TO AWARD THE BID FOR SIDEWALK PROJECT #6 AND TO EXECUTE CONTRACT DOCUMENTS.

City Manager Bruce Stone advised that bids for Sidewalk Project #6 were submitted on June 27, 2022, and that three bids were received as follows:

- | | |
|-----------------------------|--------------|
| 1. Rudy Construction: | \$291,500.00 |
| 2. EMC Services, LLC: | \$277,947.20 |
| 3. C-P Integrated Services: | \$245,782.08 |

Mr. Stone advised that the bid amounts include the Add-Alternate for approximately 1,000 linear feet of curb and gutter replacement. Mr. Stone further advised that all the bids came in under budget. Mr. Stone told the Council that the low bidder, C-P Integrated Services, has never worked for The Village but has done projects for Oklahoma City and the Oklahoma Department of Transportation.

After a brief discussion, Mayor Wilkinson moved to approve Resolution 07-18-2022 (A) authorizing the city manager to award the bid to C-P Integrated Services and to execute contact documents. Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.



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ITEM VI: CONSIDERATION OF RESOLUTION 07-18-2022 (B) APPROVING AN AGREEMENT WITH LAUD STUDIO FOR LANDSCAPE ARCHITECTURAL SERVICES RELATED TO SERIES 2022 GENERAL OBLIGATION BOND PARK IMPROVEMENTS.

Brent Wall attended the meeting to answer questions about LAUD Studio's proposal to provide Landscape Architectural and Construction Observation Services for Phase 3 of Park Improvements funded by the proceeds of General Obligation Bonds, Series 2022. Mr. Wall advised that the cost of the services would not exceed \$128,000. Mr. Wall recommended that the Council use the proceeds from the Series 2022 Bond sale to complete the master plan for Duffner Park. Mr. Wall told the Council that the remaining improvements to be made in Duffner Park include a basketball court (half court), a small pavilion, a new play area, and renovation of the stage.

Council Member Symes asked about construction supervision. Mr. Wall stated that construction observation fees are included in the total fee quoted in the agreement and that the process would be similar to that in Phase 1 and Phase 2 of park improvements. City Manager Bruce Stone stated that the LAUD team has done an outstanding job for the City supervising construction on past projects park improvement projects.

Mr. Wall gave the Council a brief update on the status of construction plans for the TIF #1 Project. The Council asked questions about plans for street lighting. Mr. Wall advised that the plans include the addition of a substantial number of new streetlights. Mr. Stone advised that there would be an opportunity for the Council to review the full set of plans prior to action authorizing the solicitation of competitive bids.

After a brief discussion, Mayor Wilkinson moved to approve Resolution 07-18-2022 (B) approving an agreement with LAUD Studio for Landscape Architectural and Construction Observation Services. Council Member Symes seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM VII: CONSIDERATION OF ORDINANCE 768 AMENDING CHAPTER 12, ARTICLE IX OF THE VILLAGE CODE OF ORDINANCES; PERTAINING TO YOUTH ACCESS TO TOBACCO; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

City Manager Bruce Stone advised that changes to state law would require the update of Chapter 12, Article IX of the City Code. Mr. Stone told the Council that the age for purchasing tobacco products has been increased from 18 years old to 21 years old and that HB 3315 removed the abilities of cities to fine underage offenders. Mr. Stone advised that all enforcement for underage use of tobacco and vapor products would be solely in the purview of the ABLE Commission in the future. *(HB 3315 becomes effective November 1, 2022)*



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The Council discussed the proposed ordinance and concluded that these laws are not effective and that the City's regulations under Article IX should be repealed.

After a brief discussion Council Member Cummings moved to reject Ordinance 768 in its entirety. Mayor Wilkinson seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

The Council directed staff to draft an Ordinance to repeal Chapter 12, Article IX of the City Code.

ITEM VIII: CONSIDERATION OF RESOLUTION 07-18-2022 (C) APPROVING A LIST OF PROJECTS TO BE FUNDED BY THE PROCEEDS OF THE SERIES 2022 GENERAL OBLIGATION STREET AND PARK BOND PROJECTS.

City Manager Bruce Stone advised that Council direction is needed to determine which listed bond projects should be funded with the proceeds from the sale of Series 2022 General Obligation bonds. Mr. Stone advised that the net amount (after issuance expenses and fees) is estimated as follows: *(Note: This amount represents half of the bond funds authorized by voters on February 8, 2022)*

1. Streets	\$1,827,734
2. Sidewalks	\$1,545,050
3. Drainage	\$649,750
4. Contingencies	<u>\$813,783</u>
Total	\$4,836,316 <i>(Not including Park Bonds)</i>

Mr. Stone showed the Council a proposed list of projects. Mr. Stone advised that the street projects have been prioritized by condition and that the plan is to do the streets that are in worst condition first.

The Council briefly discussed the list of proposed projects. There were no objections to the proposed priority list. Mayor Wilkinson moved to approve Resolution 07-18-2022 (C). Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM IX: CONSIDERATION OF ENGAGEMENT LETTER FOR LEGAL SERVICES – CENTER FOR ECONOMIC DEVELOPMENT LAW.

City Attorney Jeff Sabin explained that the revised agreement updates the hourly rates charged by the principals, partners, and associates of the firm. Mr. Sabin advised that the rates had not been increased since 2015.



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After a brief discussion, Mayor Wilkinson moved to approve the Engagement Letter for Legal Services with the Center for Economic Development Law. Council Member Symes seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM X: CONSIDERATION OF COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE LODGE #222 FOR FY 2022-23.

City Manager Bruce Stone advised that negotiations with the FOP have concluded, and the negotiated agreement is ready for approval by the Council. Mr. Stone told the Council that the FOP has already approved and signed the agreement.

The city manager reviewed the changes in the agreement for FY 2022-23. Mr. Stone told the Council that the agreement has been updated to reflect the COLA given by the Council and includes incentive pay for participation in the bike program. Mr. Stone further stated that the agreement also includes the requirements that must be met to qualify for and to receive bike patrol incentive pay. Mr. Stone further advised that language has been added to clarify that officers in Field Training do not qualify for shift differential pay until they complete training.

After a brief discussion, Mayor Wilkinson moved to approve the Collective Bargaining Agreement with the FOP for FY 2022-23. Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM XI: CONSIDERATION OF RESOLUTION 07-18-2022 (D) ACCEPTING A PROPOSAL FROM PRECISION CONCRETE CUTTING SERVICES TO REPAIR SIDEWALK TRIP HAZARDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS.

City Manager Bruce Stone advised the Council that the Resolution would authorize the city manager to accept a proposal from Precision Concrete Cutting Services and to enter a contract with the company to perform needed sidewalk repairs up to the amount approved in the budget by the Council. (*\$45,000 for Phase 1*) Mr. Stone advised that a pre-work meeting would be held with the company to determine which sidewalks would be repaired in this phase. Mr. Stone stated that Phase 1 will allow the repair of half of the sidewalks that need repair in the area west of May.

After a brief discussion, Mayor Wilkinson moved to approve Resolution 07-18-2022 (D). Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.



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ITEM XII: CONSIDERATION OF RESOLUTION 07-18-2022 (E) AMENDING SECTIONS 3.80, 5.34, 5.38 AND 5.60 THE CITY OF THE VILLAGE PERSONNEL HANDBOOK RELATING TO POSITIONS IN GRADE AND PAY SCALES, GROUP INSURANCE BENEFITS, LONGEVITY PAY, AND TRAVEL EXPENSE REIMBURSEMENT.

City Manager Bruce Stone advised that Council that several updates are needed to the Personnel Handbook to keep it current. Mr. Stone reviewed the following proposed updates:

1. **Section 3.80.** This section is updated to reflect the 5% COLA approved by the Council in the FY 2022-23 Budget.
2. **Section 5.34.** This section pertains to Group Insurance benefits provided by the City. The premiums and coverages change every year, and the language is simplified so that the provisions are not likely to become outdated every plan year.
3. **Section 5.38.** This section pertains to Longevity Pay and is simplified to prevent the language from being outdated every time a COLA is approved. Longevity for Public Safety is based on a percentage (1%) of the first pay step for firefighters and police officers, which changes every time a COLA is given.
4. **Section 5.60.** This section pertains to reimbursement for official travel expenses and is out of date due to inflation. The daily meal allowance is increased from \$45 to \$75, and the mileage reimbursement is changed to the IRS approved rate per mile.

Mayor Wilkinson suggested that it might be better to simply adopt the GSA per diem allowances for lodging and travel.

After a brief discussion, Council Member Cummings moved to approve Resolution 07-18-2022 (E) with amendments adopting GSA per diem allowances for travel. Council Member Symes seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM XIII: CONSIDERATION OF RESOLUTION 07-18-2022 (F) REQUESTING THAT OMAG APPLY WORKER'S COMPENSATION ESCROW FUNDS TO REDUCE THE CITY'S WORKER'S COMPENSATION PREMIUM FOR FY 2022-23.

City Manager Bruce Stone explained that approximately \$70,000 remains in the City's Worker's Compensation Loss Fund. Mr. Stone stated that these funds are not needed to pay claims and that they can be applied to reduce the City's premium for Worker's Compensation Insurance. Mr. Stone advised that OMAG requires the City Council to specifically request this course of action.



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After a brief discussion, Mayor Wilkinson moved to approve Resolution 07-18-2022 (F). Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM XIV: REPORTS, CORRESPONDENCE, ETC.

a) Review of Expenditures: *The Council reviewed the expenditure reports. The city manager explained several of the expenditures.*

b) Manager's Report

City Manager Bruce Stone reported that that the resurfacing project is complete. Mr. Stone reported that the scope of the project was extended to include additional base repair and the installation of two valley drains on Greystone.

The city manager reported that spotting of utility line (OKIE) has been done at Britton & Stratford and that work to relocate optic fiber should begin soon. Mr. Stone advised that the drainage project has been held up since October because of gas and fiber optic lines encroaching on the work area.

Mr. Stone reported that the Britton Road multipath striping project is complete. Mr. Stone told the Council that a relative of Public Works Director Larry Walton donated all the paint for the project.

The city manager reported that FEMA has finally paid the State's portion of disaster assistance for the storm in 2015. Mr. Stone advised that the amount received was approximately \$77,000. Mr. Stone further advised that FEMA is expected to provide additional reimbursement for the costs of the 2020 Ice Storm in the amount of \$170,000.

Mr. Stone reported that he recently met with the new Hawthorn HOA Board. Mr. Stone advised that he gave the board an update on the TIF #1 Project. Mr. Stone advised that the board is supportive of the Village Trail through Hawthorn and is encouraging the Council to find a way to fund this part of the TIF Project.

The city manager reported that a pre-bid meeting was held on July 11 for the pedestrian signalization project at Britton & May. Mr. Stone advised that bids will be opened on July 25 and that there were three prospective bidders at the meeting.

Mr. Stone reported that core samples have been taken on Gladstone to provide more information about the soil conditions in the project area. Mr. Stone advised that the sampling might help to provide information that could reduce the cost of construction of the new drainage system. Mr. Stone further stated that the results of the geotechnical



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report could also help to avoid a costly surprise after construction begins. Mr. Stone advised that this project cannot begin until the second tranche of ARPA funds has been received by the City, which is expected to be in September 2022.

The city manager reported on the year-end budget transfers that were required to complete the fiscal year as required by City Code. Mr. Stone explained that funds were transferred from departments that had a surplus to departments that had budget over runs. Mr. Stone advised that the total transfers were \$112,000 and that an increase in appropriations were not needed to complete the fiscal year.

Mr. Stone reported that the engineering report for embankment stabilization has been received and that the report recommends the installation of "Flexamat" on steep sections of the channel that are eroded and the resodding of eroded areas that are not as steep.

The city manager reported that combined sales and use taxes were up by \$88,181 or 12.16% over the same period last year.

a) Monthly Department Reports: *The Council reviewed the Monthly Department Reports.*

c) Reports from Council

Council Member Symes stated that with the hot and dry weather, the City might consider water rationing, including steps to limit water use at the splash pad. The city manager stated that citizens probably need to be reminded of the permanent, odd-even outdoor watering regulations promulgated by the City of Oklahoma City.

Council Member Cummings asked if there were any pickle ball courts in city parks. The city manager advised that all three tennis courts have been striped for pickle ball.

Mayor Wilkinson asked if there could be Duck Crossing sign placed in the area of Chesterton and Gladstone.

Mayor Wilkinson stated that the microphones for the Council Room PA System need to be upgraded for better sound. The mayor said he would send some information to the city manager pertaining to the type of microphone that might work better.

Captain Butcher answered questions about the bike patrol program.



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ITEM XV: ADJOURNMENT

There being no further business, the mayor adjourned the meeting at 7:05 p.m.

Mayor Wilkinson

Vice-Mayor Wynter Griffis

Council Member Symes

Council Member Cummings

City Clerk

Vacant