



CITY COUNCIL MINUTES
August 15, 2022

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, August 15, 2022, at 6:30 p.m., at 2304 Manchester Drive.

COUNCIL PRESENT

Sonny Wilkinson, Mayor
Wynter Griffis, Vice-Mayor
Bubba Symes, Council Member
Sean Cummings, 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 led the Council in the Pledge of Allegiance.

ITEM III: APPROVAL OF THE MINUTES OF THE MEETING HELD ON AUGUST 1, 2022.

The mayor asked if there were any corrections, additions, or deletions to the Minutes of the meeting held on August 1, 2022. There were none and the Minutes were approved as written.

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

Jane Lowther thanked Larry Walton's relatives for donating the paint for pedestrian and bike path stencils on the Britton Road multipath.

Ms. Lowther asked about signs for the ornamental grass in Meeker Park. Ms. Lowther stated that people think the plantings are weeds and that it might be useful to post a sign indicating the species of native grass that was planted.

Ms. Lowther stated that there are too many cars parked on the street overnight and that there should be something done about it. The city manager advised that it would be difficult to ban parking on public streets, especially in older neighborhoods where most homes only have single car garages. Mr. Stone explained that in the 1950s, most families only had one car and homes and driveways were not designed to accommodate three and four cars which families commonly have these days.

Ms. Lowther noted that the next regular meeting date for Seniors and Law Enforcement Together (SALT) is on a holiday and asked when then meeting would be held. Mr. Stone advised



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that the meeting would most likely be rescheduled and that Chief Landon would let participants know.

Ms. Lowther stated that she had heard that there is a homeless person staying in Duffner Park. Mr. Stone advised that, unfortunately, more people without homes are showing up in the area and that local businesses and our Police frequently ask them to stop loitering and to move on. Mr. Stone noted that yesterday, one such person was asked to move out of the drainage channel near Quail Circle. Mr. Stone further noted that public parks are closed at 10 p.m. and no one should remain in the park after that time.

ITEM V: DISCUSSION OF POSSIBLE CANDIDATES FOR APPOINTMENT TO FILL AN UNEXPIRED TERM FOR THE WARD 3 COUNCIL SEAT.

Mayor Wilkinson stated that he and members of the Council appreciate your interest (*referring to the list of candidates, which include Braxton Banks, Jon Sousa, Carol Jensen, Carol Lindsay, Melodie Moore, Jane Lowther, David Bennett, and David Glover*)

Carol Jensen asked that her name be removed from consideration.

Mayor Wilkinson advised that he favors appointing a person who does not live in Ward 3 and who would not be a candidate in the election scheduled for this coming spring. The mayor stated that incumbents win elections most of the time and that it would be unfair to give someone the advantage in the election. The mayor further stated that the appointee would serve until the first Monday in May 2023 and the candidacy filing period for the Council seat would be February 1st, 2nd, and 3rd.

Council Member Cummings also stated that he would not vote to appoint anyone who lives in Ward 3. Council Member Cummings further stated that he would like to see a seamless transition without any drama.

Vice-Mayor Griffis agreed that it is fair to appoint someone who would not be seeking office in the upcoming election. The vice-mayor stated that the City has a lot of projects currently underway and many more on the horizon and that someone with great ideas is needed for the position.

Jon Sousa addressed the Council and expressed his interest in the appointment. Mr. Sousa told the Council that he is a software Developer and could provide useful knowledge and skills if on the Council.

Carol Lindsay appeared before the Council and expressed her interest in being appointed to fill the vacant Council seat. Ms. Lindsay told the Council that she has lived in The Village since



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1960 and that she served on the Planning Commission for many years. Ms. Lindsay said she sees the excitement in the community and would like to be a part of it.

Mayor Wilkinson stated that no action on the appointment can be taken at this time and advised that consideration of the appointment would be added to the agenda of the Special City Council Meeting scheduled for August 23rd.

ITEM VI: DISCUSSION OF AIRBNBS AND POSSIBLE AMENDMENTS TO AIRBNB ZONING, LICENSING REQUIREMENTS AND OTHER RELATED ISSUES.

Margaret Kitch, 2633 Keats Place, told the Council that she has lived in The Village twelve (12) years and read a statement prepared by Donna Rice Johnson who could not attend the meeting.

Janice Skaggs, 3213 Orlando Road, addressed the Council and provided some suggestions for consideration. Ms. Skaggs stated that there should be a limit placed on the number of short-term rentals allowed in the city. Ms. Skaggs further stated that Nichols Hills does not allow short term rentals in their city and proposed that, after the licenses for current home sharing operations expire, that they not be renewed. Ms. Skaggs further noted that The Village is not a "tourism town" like some others in the area and that short-term rental properties will decrease property values.

Barbara King, 2601 Berkshire Way, told the Council that she would not buy a home next to an Airbnb or other home-sharing operation. Ms. King asked the Council, "Is that what you want?" Ms. King further stated, "It is not what I want."

John Perry, 3308 Nora Lane, told the Council that he was concerned about safety issues and occupancy limits for home sharing operations. Mr. Perry also brought up the idea of a hotel/motel tax and suggested making it unlawful for a home sharing operation to be located within 200 feet of another home sharing operation.

Eric Casper, 1933 NW. 19th Street, Oklahoma City, appeared before the Council at the request of Council Member Cummings. Mr. Casper gave an overview of the benefits of Airbnbs. Mr. Casper told the Council that since 2008, Airbnb has paid over \$1 Billion in taxes to cities across the Country. Mr. Casper also stressed that Airbnb does a lot to ensure that home sharing operations associated with Airbnb pay their taxes, abide by city ordinances and that the owners keep the property in good condition. Mr. Casper advised that other home sharing operations such as VRBO may not be as proactive in enforcing taxes and other codes, but that Airbnb makes it a priority to weed out "the bad apples."

City Attorney reviewed key provisions of Ordinance 759, which provides for licensing and regulations pertaining to home sharing operations. (The Ordinance is attached to the minutes)



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Mayor Wilkinson, Vice-Mayor Griffis and Council Member Cummings all expressed their support for home sharing operations.

Council Member Cummings stated that it is important to recognize that there have been changes in the economy and that these new ways of doing things need regulation but also need to be accommodated.

Council Member Symes stated that, like it or not, home sharing is here, and that strict enforcement of the applicable regulations is important.

The Council discussed at length the various home sharing issues, including:

- *Making sure all home sharing operations are licensed and paying taxes;*
- *Using a third-party service to monitor and regulate home sharing operations;*
- *Putting before the voters the question of levying a hotel/motel tax;*
- *Considering limits, if possible, on the number/location of home sharing operations;*
- *Possibly increasing the fee for initial licensure and annual renewal;*
- *Developing a more formal process of review and approval of licenses, such as by Special Exception through either the Planning Commission or Board of Adjustment.*

Mayor Wilkinson asked staff to review the ordinance and to consider the issues discussed, and to place continued discussion of home sharing on the next City Council agenda.

ITEM VII: CONSIDERATION OF RESOLUTION 08-15-2022 (A) AUTHORIZING THE CITY MANAGER TO SOLICIT COMPETITIVE BIDS FOR TIF #1 PROJECT, PHASE 1.

City Manager Bruce Stone advised that this project represents the culmination of a process that began in 2005, and which included the creation of the City's first Tax Increment District in 2006. Mr. Stone advised that the TIF (and Urban Renewal) district made it possible for the City's to purchase and demolish a blighted, crime-ridden 27-acre apartment complex (Vintage Lakes) and ultimately resulted in a surge of new development in the area. (\$70 million in new property values)

Jessica Lerner, landscape architect with LAUD Studio, introduced herself and Hannah Moll, who also now works with the firm. Ms. Lerner gave a brief overview of the project and



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explained the components included in this phase of the TIF #1 Project Plan and the components in the approved plan that would have to be funded in future phases of construction.

The city manager advised that there is time for the Council to amend the plans before bids are received, if desired by the Council.

Vice-Mayor Griffis asked what the project cost would be. Ms. Lerner advised that bids are expected to be in the range of \$7.7 million.

Mayor Wilkinson stated that the Council has had a number of planning sessions and public meetings for this project and that he is comfortable moving forward.

After a brief discussion, Mayor Wilkinson moved to approve Resolution 08-15-2022 (A) authorizing the city manager to solicit competitive bids for the TIF #1 Project, Phase I. Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM VIII: CONSIDERATION OF RESOLUTION 08-15-2022 (B) MAKING APPOINTMENTS TO THE VARIOUS BOARDS & COMMISSIONS.

After a brief discussion, Mayor Wilkinson moved to approve Resolution 08-15-2022 (B) making the following appointments:

- *Barratt Davidson to a three-year term on the Traffic & Safety Commission with a term expiring on June 30, 2025.*
- *Marty Fulk to a three-year term on the Traffic & Safety Commission with a term expiring on June 30, 2025.*
- *Nancy Parrott to a three-year term on the Planning & Zoning Commission with a term expiring on June 30, 2025.*
- *David Hall to a three-year term on the Planning & Zoning Commission with a term expiring on June 30, 2024.*

Council Member Cummings seconded the motion. The vote: Yea – Symes, Cummings, Griffis, and Wilkinson. Nay – none.

ITEM IX: REPORTS, CORRESPONDENCE, ETC.

- a) Review of Expenditures: The Council reviewed the expenditure reports.***



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b) Manager's Report:

City Manager Bruce Stone reported that AT&T has finally completed fiber relocation at Britton and Stratford and that SAC Services has been notified that they can finally start the drainage project.

The city manager reported that the monthly sales tax check was for \$558,537, which is an increase of \$62,810 or 12.67% over the same period last year. Mr. Stone also reported that Use Tax was \$137,311, which is an increase of \$2,510 or 1.86% over the same period last year.

Mr. Stone reported that C-P Integrated Services started Sidewalk Project #6 today. Mr. Stone told the Council that the contractor will start at Westchester and work north to Britton Road. Mr. Stone further reported that 50' of additional sidewalk, two curb ramps and a crosswalk will be added to the project for the pedestrian crossing planned for Stratford and Britton Road. Mr. Stone explained that the crossing needs to be at least 50' west of the intersection for the safety of pedestrians.

The city manager reported that the Britton & May Pedestrian Crossing Project is expected to start by August 22 and advised that the project would only take a couple of weeks to complete.

Mr. Stone reminded the Council that groundbreaking for the addition to the Casady School, Loeffler Primary Education building would be on August 30th 10:00 a.m.

The city manager showed the Council a conceptual design for the proposed tall slide in Meeker Park.

c) Monthly Department Reports: The Council reviewed the Monthly Department Reports.

d) Reports from Council

Council Member Symes took a few minutes to read aloud the Monthly Police Department report. Council Member Symes noted the amount of training our police officers receive and stated that our police are the best and, because of that, he would never move out of The Village. Council Member Symes further stated that he takes offense at the accusations of targeting, which have been made recently. Council Member Symes thanked Mayor Wilkinson for getting the Council back together and on the same page.

Council Member Cummings reported that he attended a recent County Commission meeting and made a pitch for the County to allocate \$3.8 million of the County's ARPA funds for The Village.



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Council Member Cummings told the Council that he would like to see the Yoga in the Park program continue and said that he would also like to develop a “concert in the park” program.

Vice-Mayor Griffis told members of the Council that the Fire Department versus Police Department softball game is scheduled for Saturday, September 24th at Casady School.

Vice-Mayor Griffis reported that she would be attending the Oklahoma Municipal League and National League of Cities conventions this year.

Mayor Wilkinson asked the Council if they would like to revisit the idea of allowing carports.

The mayor briefed the Council on succession planning as the city manager plans to retire at the end of January 2023.

The city manager reminded the Council that the Lions Car Show would be on August 27 at Duffner Park.

ITEM X: ADJOURNMENT

There being no further business, the mayor adjourned the meeting at 9:25 p.m.

Mayor Wilkinson

Vice-Mayor Wynter Griffis

Council Member Symes

Council Member Cummings

City Clerk

Council Member Glover



ORDINANCE 759

AN ORDINANCE OF THE CITY OF THE VILLAGE, OKLAHOMA CREATING NEW ARTICLE XXIII OF CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; AMENDING CHAPTER 24, SECTIONS 24-1 AND 24-154 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO HOME SHARING LICENSING AND ZONING ALLOWANCES FOR HOME SHARING USES, AND TO ADD DEFINITIONS, REQUIREMENTS, FEES, AND OTHER RELATED PROVISIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE:

Section 1. That new Chapter 11, Article XXIII of the Code of Ordinances is hereby created to read as provided on the attached Exhibit A to this Ordinance.

Section 2. That Chapter 24, Section 24-1 of the Code of Ordinances is hereby amended to include the following definition, in the appropriate alphabetical position:

Home Sharing means lodging accommodations that are provided in a dwelling or room(s) in a dwelling for rent for a period not to exceed more than 30 consecutive days per renter/guest.

Section 3. That Chapter 24, Section 24-154, paragraph A) of the Code of Ordinances is hereby amended to read as follows:

- A) Property and buildings in the A-1 Single Family Residential District, shall be used only for the following purposes:
- (1) *Detached single-family dwelling.*
 - (2) *Public park or playground.*
 - (3) *Residential sales subject to regulations provided in Chapter 11 of this code.*
 - (4) *Garden or agricultural crops but not for the raising of livestock.*
 - (5) *Home occupation as defined and regulated by this chapter.*
 - (6) *Accessory buildings which are not a part of the main buildings, and which are customary and incidental to the primary use of the property, including, but not limited to, detached private garages, carports, cabanas, gazebos, storage buildings, temporary or portable buildings, and tornado shelters.*

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- (7) *Accessory structures that are customary and incidental to the primary use of the property, and which include, but are not limited to, fences, radio and television receivers, satellite reception antennas, swimming pools, solar energy devices, flag poles, basketball goals, and retaining walls. Fences permitted shall be limited to the following types:*
- i. Brick, stucco, rock, or decorative concrete brick or block; provided that such fences shall be constructed with an adequate concrete footing and shall not be located on any utility easement.*
 - ii. Chain-link or cyclone, galvanized metal.*
 - iii. Wood/plastic, picket.*
 - iv. Wood/ plastic, rail, or split rail.*
 - v. Wood/plastic, with vertical or horizontal slats; sight-proof or see-through; and*
 - vi. Wrought Iron, with or without brick columns.*
- (8) *Public utilities and public utility structures and facilities.*
- (9) *Home Sharing, subject to the regulations and licensure required in Chapter 11, Article XXIII of this code.*

Section 4. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. Severability Clause. If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Emergency Clause. WHEREAS, it being necessary for the preservation of the public health, peace, and safety of the City of The Village, Oklahoma, an emergency is declared to exist and by reason thereof this Ordinance shall take full force from and after its adoption.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, this 19th day of July 2021, after compliance with the notice requirements of the Open Meeting Law (25 O.S. § 301, *et seq.*).

ATTEST:



Bruce K. Stone, City Clerk



SONNY WILKINSON, MAYOR

ORDINANCE 759

APPROVED AS TO FORM AND LEGALITY this 19th day of July 2021.



Assistant City Attorney

EXHIBIT A
NEW CHAPTER 11, ARTICLE XXIII
THE VILLAGE CODE OF ORDINANCES

ARTICLE XXIII. HOME SHARING

Sec. 11-900. Definition.

Home Sharing is defined as lodging accommodations that are provided in a dwelling or room(s) in a dwelling for rent for a period of time not to exceed more than 30 consecutive days per renter/guest.

Cross reference—Definitions, Chapter 24, § 24-1.

Sec. 11-901. License.

No person shall operate within the city any Home Sharing use without a license issued by the City.

Sec. 11-902. General Conditions.

- (a) The rental of the entire home or bedroom(s) may not exceed 30 consecutive days per renter/guest.
- (b) The owner of the property shall be required to comply with any applicable building or fire codes adopted by the City, including but not limited to working smoke detectors, a carbon monoxide detector, and a functioning fire extinguisher.
- (c) All applicable fees and taxes must be collected and paid.
- (d) All renters/guests who are not legal dependents staying with their parents or legal guardians must be age 18 or older.
- (e) Home Sharing properties shall outwardly appear as a residential dwelling, and shall not adversely affect the residential character of the neighborhood or generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any persons enjoyment of his or her residence.
- (f) Renters/guests shall not violate any parking ordinances adopted by the City.
- (g) Owners of Home Sharing properties who do not reside within a 50-mile radius of The Village city limits must identify an individual or individuals to serve as a local contact to respond to emergency conditions. This local contact must be able to respond within 1 hour after being notified of an emergency by a renter/guest or a City employee. Any changes in local contact must be provided to the City Clerk in writing within 3 business days of the change.
- (h) License holders shall provide the valid license number on any listing advertising or soliciting the property for Home Sharing purposes.

Sec. 11-903. License Application Requirements.

An application for a Home Sharing license shall be filed with the City Clerk. Such application shall include the following information:

- (a) The name, street address, mailing address, and telephone number of the owner of the property proposed for Home Sharing use, which includes the owner's primary physical address, a mailing address, cell phone number, and email address.
- (b) If required under Section 11-902(g), the name, street address, mailing address, and telephone number, which includes a primary physical address, a mailing address, cell phone number, and email address of a local contact available to be reached 24 hours per day and 7 days per week.
- (c) A certification by the property owner and, if applicable, property manager, that:
 - (1) The property is not subject to outstanding City Code of state law violations;
 - (2) All required egress windows in bedrooms are operational;
 - (3) Operational smoke detectors, carbon monoxide detectors, and fire extinguishers have been furnished, as required by adopted building and fire codes; and
 - (4) The property is in compliance with applicable provisions of the City's minimum property maintenance, building, electrical, mechanical, and plumbing codes.
- (d) Proof of current, valid property insurance.
- (e) Proof of payment of transient guest room tax and sales tax due as of the date of submission of the application.
- (f) The number of bedrooms and the proposed occupancy limits.
- (g) A diagram showing the proposed layout of the property and any on-site parking available, including a floor plan indicating fire exits and escape routes.
- (h) Authorization for the City's building official to conduct an annual minimum life-safety inspection of the property.

Sec. 11-904. Issuance of License Requirements.

Upon satisfactory submission of the required application documentation and attestations and verification of the contents provided therein, the City Clerk may issue an annual Home Sharing license. The license shall contain the following information:

- (a) Street address of the property licensed for Home Sharing use.
- (b) License holder's name.
- (c) License number and rental limitations, including bedroom limit and guest occupancy limit.

- (d) Contact information (name, cell phone, email) of local contact able to respond to on-premises complaints or emergencies.
- (e) Proof of payment of transient guest room tax and sales tax as of the date of submission of the application.
- (f) Dates license is valid.
- (g) The structure has a valid certificate of occupancy or has been determined by the City's building official to not pose a hazard to life, health, or public safety, based on a minimum life-safety inspection

Sec. 11-905. Fees.

Home Sharing applicants shall pay a fee to the City Clerk of \$75.00 for the initial application for the license and an annual fee of \$25.00 for subsequent renewal terms.

Sec. 11-906. Required Information to be Posted and Provided to Renters/Guests.

The license holder shall post the following information in a prominent location in the interior, clearly visible to guests and provide a packet of the information, summarizing the restrictions applicable to Short-Term Rental use, including:

- (a) The license registration, which includes license number;
- (b) Operator's name and number and property manager, if applicable, name and number;
- (c) Local contact person name and number;
- (d) The location of any on-site and off-site parking spaces available for guests;
- (e) Occupancy limits;
- (f) Parking restrictions;
- (g) Information on relevant burn bans;
- (h) Information on relevant water restrictions;
- (i) Trash and recycling collection rules and dates; and
- (j) Floor plan with fire exit and escape routes.

Sec. 11-907. License Renewal.

Except as otherwise provided, a license may be renewed annually if:

- (a) The license holder pays the renewal fee as established by City Council resolution;
- (b) The license holder provides documentation showing the transient guest room and sales taxes have been paid for the Home Sharing property, as required;

- (c) The license holder provides any updates to information provided in the initial license application;
- (d) The property is not the subject of any outstanding City Code or state law violations;

The City may deny an application to renew a license if the applicant does not provide all necessary information necessary to determine that the dwelling unit meets all requirements for the issuance or renewal of a license.

Sec. 11-908. License Denial, Suspension, or Revocation.

- (a) If the licensee fails to comply with any conditions of the Home Sharing license, the City may deny, suspend or revoke the license.
- (b) If a property is the subject of violations of the City Code or state law during a 24-month period prior to submitting the Application, the City may deny, suspend or revoke an application for a Home Sharing license based on the following:
 - (1) The frequency of any repeated violations;
 - (2) Whether a violation was committed intentionally or knowingly; or
 - (3) Any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare.
- (c) If an Application is denied, suspended or revoked, and an Applicant desires to submit a new Application, the City Clerk may not grant a license unless the Applicant first obtains a specific use permit pursuant to Sections 24-25 and 24-26 of Chapter 24 of The Village Code of Ordinances.

§§ 11-909—11-949. Reserved.