



CITY COUNCIL MINUTES
September 16, 2019

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, September 16, 2019, at 7:30 p.m., at 2304 Manchester Drive.

COUNCIL PRESENT

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

STAFF PRESENT

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

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 regular meeting held on September 3, 2019. There were no corrections, deletions or additions and the Council approved the Minutes of the meeting held on September 3, 2019, as written.

ITEM IV: CITIZENS DESIRING TO BE HEARD; PRESENTATIONS.

Mayor Cummings stated that this is the time for citizens to bring up matters that are not on the posted agenda.

Brock Geeslin, 1509 Barclay Road, appeared before the Council to seek clarification on the new regulations pertaining to boats, trailers and other oversized vehicles. Mr. Geeslin told the Council that his neighbor has a boat and a trailer and that he would like to know if he would have to get rid of one. City Manager Bruce Stone advised that as long as these are registered by October 1, they can be kept in the driveway or other paved surface in front of the residence.

Laura Brazzle, 2132 Gladstone Terrace, appeared before the Council concerning her exorbitant water bill. Ms. Brazzle asked if the OKC water main breaks in the area could have something to do with this. The city manager advised that this is not likely as the water main breaks have been on the City's side of the water meter. Mr. Stone advised he would make contact with Oklahoma City officials to ask them to look into this.



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Linda Herider, 1508 Barclay Road, appeared before the Council (*accompanied by her neighbor, Kimberly Hopper*) to complain about opossum and feral cats in the neighborhood. The city manager advised that Animal Control will be alerted.

Jane Lowther appeared before the Council on behalf of Casady Manor Neighborhood Watch Association and had several comments, questions and suggestions:

- *Suggested that the splashpad be opened on weekends after Labor Day when the weather is hot. Mr. Stone advised that it could be done but water costs are already quite high with the current season, which begins on Memorial Day Weekend and ends after Labor Day.*
- *Suggested that the tennis court in Bumpass Park be striped for both pickle ball and tennis.*
- *Thanked the city manager for arranging a meeting with Rausch Coleman to look at the drainage on Haverhill.*
- *Asked whether residents of Casady Manor would be able to provide input on Meeker Park improvements. Mr. Stone advised that it would be up to the City Council to decide whether to amend the approved masterplan for park improvements.*
- *Asked about the deadline for registration of boats, trailers and similar oversized vehicles. The city manager advised that the deadline for registration is October 1. Mr. Stone advised that that information has been posted on the City's webpage and that a robocall would go out to all residents on Sunday evening. Mr. Stone also advised that notices have been mailed to residences where vehicles subject to registration are known to be kept.*
- *Asked if it is legal to park a boat on gravel. The city manager advised that the only place where a boat can be parked on a gravel surface is behind the front building line and behind a sight-proof fence.*
- *Announced that Casady Manor would host "Halloween in the Park" on October 31 from 6:00 to 8:00 pm in Meeker Park.*
- *When Britton Road construction is expected to be completed. Mr. Stone advised that ODOT is standing by their deadline of November 15, 2019.*

David Nemapour, 1301 Hefner Road, asked if signage, barricades and traffic cones on Britton Road could be improved to better delineate the lanes at night.



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ITEM V: CONSIDERATION OF APPOINTMENT TO FILL AN UNEXPIRED TERM FOR THE WARD 2 CITY COUNCIL SEAT.

Council Member Wilkinson moved to appoint Bubba Symes to fill an unexpired term for the Ward 2 City Council seat. Vice-Mayor Bennett seconded the motion. The vote: Yea – Graham, Bennett, Cummings and Wilkinson. Nay – none.

ITEM VI: ADMINISTRATION OF THE OATH OF OFFICE FOR NEWLY APPOINTED CITY COUNCIL MEMBER.

Mayor Cummings administered the Oath of Office for newly appointed Council Member Bubba Symes.

ITEM VII: CONSIDERATION OF AMENDMENT #1 TO CONTRACT WITH JENCO CONSTRUCTION PROVIDING FOR A NEW TENNIS COURT IN BUMPASS PARK.

City Manager Bruce Stone explained that LAUD Studio has prepared Amendment #1 to the contract with Jenco Construction and that the company would substitute the multicourt in Bumpass Park for a new tennis court. Mr. Stone told the Council that this amendment would result in a nominal increase in cost of \$1,522.50.

The Council discussed several issues related to the amendment including the need to remove three additional trees. It was noted that the trees would have to be removed in order to properly situate the tennis courts and leave space for future improvements.

After a brief discussion, Council Member Graham moved to approve Amendment #1 to the contract with Jenco Construction providing for a tennis court in Bumpass Park. Vice-Mayor Bennett seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett and Cummings. Nay – none.

ITEM VIII: CONSIDERATION OF RESOLUTION 09-16-2019 (A) AUTHORIZING THE ISSUANCE OF A BUILDING PERMIT FOR THE RENOVATION AND EXPANSION OF LOVE'S CORPORATE OFFICE FACILITIES, 10401 NORTH PENNSYLVANIA AVENUE.

City Manager Bruce Stone advised the Council that the Love's building project is the first project to be subject to new architectural design standards adopted by the City. Mr. Stone reviewed several non-conforming design features of Love's new building and renovation, including the use of certain exterior wall materials, continuous roof line, canopy design and transparency. Mr. Stone advised that the Planning & Zoning Commission recommended that the City Council authorize the issuance of a building permit subject to the resolution of these code issues.



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Mr. Stone reminded the Council that new ordinances oftentimes need to be tweaked as situations warrant. Mr. Stone further stated that the regulations were adopted primarily for retail development not for new buildings in an established corporate campus.

City Attorney Leslie Batchelor advised that the Council can consider appropriate amendments to the standards but, in the interim, the Council can authorize the issuance of the building permit so as to not delay construction.

After a brief discussion, Council Member Wilkinson moved to approve Resolution 09-16-2019 (A) authorizing the issuance of a building permit subject to the resolution of the various design issues. Council Member Graham seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett and Cummings. Nay – none.

ITEM IX: CONSIDERATION OR RESOLUTION 09-16-2019 (B) SELECTING AN ENGINEERING FIRM TO PERFORM BRIDGE INSPECTIONS PURSUANT TO THE REQUIREMENTS OF THE NATIONAL BRIDGE INSPECTION PROGRAM.

The city manager advised the Council that there are six bridges in the corporate limits that fall under the purview of the National Bridge Inspection Program. Mr. Stone advised that 100% of the cost of inspection is paid by the federal government. Mr. Stone advised that the best option for the City would be to use the engineering firm selected by Oklahoma County.

After a brief discussion, Council Member Graham moved to approve Resolution 09-16-2019 (B) opting to use Oklahoma County's engineering firm to perform bridge inspections pursuant to the National Bridge Inspection Program. Council Member Wilkinson seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett and Cummings. Nay – none.

ITEM X: CONSIDERATION OF ORDINANCE 748 AMENDING CHAPTER 25, SECTIONS 25-27 AND 25-28 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO ASSURANCE FOR COMPLETION OF IMPROVEMENTS BY SUBDIVIDERS; PERTAINING TO MAINTENANCE BOND FOR PUBLIC IMPROVEMENTS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

City Attorney Leslie Batchelor explained why cities require Subdividers to provide assurance that they will complete public improvements in new housing additions. Ms. Batchelor stated that there are many instances where unscrupulous developers have sold lots, which are not served by utility services or other public improvements thereby rendering the lots useless or too costly for residential use. Ms. Batchelor told the Council that cities generally require Subdividers to provide a bond or similar instrument to ensure that all of the public improvements are completed before the lots are sold. Ms. Batchelor explained that Ordinance 748 provides several options for Subdividers to provide this assurance, including a bond, letter of credit or the



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establishment of an escrow account. Ms. Batchelor noted that the assurance is not required if the Subdivider opts to seek final plat approval after the public improvements are completed and approved by the Council. *(Note: Lots cannot be legally sold until the plat is approved by the City and filed of record at the County)*

After a brief discussion, Vice-Mayor Bennett moved to approve Ordinance 748 amending Chapter 25, Sections 25-27 and 25-28 pertaining to assurance of completion of public improvements by Subdividers. Mayor Cummings seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett and Cummings. Nay – none.

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

ITEM XI: CONSIDERATION OF ORDINANCE 749 AMENDING CHAPTER 4, SECTION 4-11 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO PUBLIC DRINKING OF ALCOHOLIC BEVERAGES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

City Manager Bruce Stone explained that the 2018 City Code contained a revision to Chapter 17 which repealed a section of the code prohibiting the sale of beer in public parks. Mr. Stone told the Council that public event organizers for events like The Village Block Party, asked for this revision to be able to sell beer at these special events. Mr. Stone told the Council that Chapter 4, Section 4-11 of the City Code that prohibits drinking of alcoholic beverages in public places, which is not consistent with beer sales in public parks. Mr. Stone advised that Ordinance 749 would address this conflict by allowing public drinking at special events approved by the Council.

After a brief discussion, Council Member Graham moved to approve Ordinance 749 amending Chapter 4, Section 4-11 pertaining to public drinking of alcoholic beverages. Vice-Mayor Bennett seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett and Cummings. Nay – none.

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

(Note: Council Member Wilkinson was absent during the vote.)

ITEM XII: CONSIDERATION OF RESOLUTION 09-16-2019 (C) ESTABLISHING A SCHEDULE OF FEES FOR THE USE OF CITY PROVIDED EQUIPMENT AND FACILITIES FOR SPECIAL PUBLIC EVENTS AND APPROVING A SPECIAL PUBLIC EVENT PERMIT FOR A CELTIC FESTIVAL ON OCTOBER 11-12, 2019.



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City Manager Bruce Stone explained that the resolution provides a schedule of fees for the use of city facilities and equipment. Mr. Stone told the Council that over the past several years, there has been an increase in the demand for the use of Duffner Park for special events and that these events frequently involve the reservation of park facilities, extra trash carts, cones, barricades, signs, tents and the like. Mr. Stone told the Council that the City has been extremely accommodating in providing these facilities without charge in the past but that it seems appropriate to establish a schedule of fees for privately organized events to help pay the costs incurred by the City in providing the facilities and equipment.

Mr. Stone further advised that the resolution also provides for a Special Public Event Permit and fee of \$50.00 as well as formal approval of a Special Public Event Permit for a Celtic Festival at Duffner Park on October 11th and 12th. Mr. Stone noted that the Special Public Event permit provides the exemption for drinking alcoholic beverages in a public place pursuant to Ordinance 749.

After a brief discussion, Council Member Wilkinson moved to approve Resolution 09-16-2019 (C), establishing a schedule of fees for use of City-provided equipment for special public events and approving a special event permit for a Celtic Festival on October 11-12, 2019. Vice-Mayor Bennett seconded the motion. The vote: Yea – Symes, Graham, Wilkinson, Bennett and Cummings. Nay – none.

ITEM XIII: REPORTS:

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

- General Fund, 09/05/2019:	\$54,724.36
- Special Park Fund, 09/05/2019:	\$28.49
- G.O. Bond Fund, 09/05/2019:	\$758.85
- G.O. Bond Fund, 09/09/2019:	\$18,000.00
- General Fund, 09/09/2019:	\$39,483.11
- G.O. Bond Fund, 09/09/2019:	\$1,136.00

b) Manager's Report:

City Manager Bruce Stone reported that the monthly sales tax check was for \$523,370.97, which is an increase of \$51,297 or 10.87% over the same period last year. Mr. Stone also reported that Use Tax was \$96,846.30, which is an increase of \$33,909 over the same period last year.



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Mr. Stone reported that Manhattan Cleaners would be going out of business and that a franchise called HTEAO is considering the location. Mr. Stone told the Council that the company sells various kinds of tea and flavored water.

The city manager reported that Street Bond Project 5 (resurfacing of Hefner from Penn to Lakeside) is nearing completion. Mr. Stone advised that this is the last listed street bond project.

Mr. Stone reported that the Metropolitan Library System has brought to his attention possible ground water issues at The Village Library. Mr. Stone told the Council that new carpet in the library is damp and showing calcification at certain places. Mr. Stone told the Council that this site is known to have ground water problems and that that it may be necessary to expand the French Drain system installed along the east and north sides of the building shortly after the library opened in 1990.

Mr. Stone reported that the Special Friends of The Village Library have dissolved at the request of the Friends of the Metropolitan Library System. Mr. Stone advised that the parent group is eliminating all of the Special Friends groups that are currently under their umbrella. Mr. Stone advised that the Special Friends board did not feel that continuing as a separate 503(C) would make sense given the few people willing to serve on the board. Mr. Stone told the Council that the Special Friends board asked that the remaining funds raised by the group (approximately \$38,000) be set aside for grants to benefit The Village Library.

The city manager reported that the Oklahoma County Sheriff's Department has adopted Hefner Road from Waverly to Lakeside Drive. Mr. Stone advised that the department plans to schedule trash removal on a regular basis.

Mr. Stone briefed the Council on the process for acquiring a new fire truck for The Village Fire Department. Mr. Stone told the Council that the fire truck is being purchased with competitive bids received by an association of cities in Texas known as the Houston-Galveston Area Council (similar to ACOG). Mr. Stone advised that the City Code authorizes purchases of products using competitive bids received by government consortiums such as this. Mr. Stone further advised that the truck would be acquired through a lease-purchase agreement.

The city manager showed the Council pictures of Oklahoma City's concrete drainage channel north of The Village, which is overgrown with trees. Mr. Stone advised that this overgrowth affects drainage in The Village and that he would be asking Oklahoma City to do maintenance on the channel to remove the obstructions.



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Mr. Stone showed the Council pictures of a notice posted on an oversized vehicle on Carlisle in order to make sure the resident is aware of the registration deadline.

Mr. Stone told the Council that the Fall Festival would be cancelled this year due to construction in Duffner Park. Mr. Stone advised that sidewalk construction would make it difficult to access the park and that conditions would not be safe for the children.

c) **Monthly Department Reports:** The Council reviewed the monthly department reports.

d) **Reports from the Council:**

Council Member Symes told the Council that he is encouraged by the progress on Britton Road.

Council Member Graham told the Council that he would be attending the OML Conference in Tulsa.

Council Member Wilkinson noted several problems with the new pavement on Carlton Way. Mr. Stone advised that Dunham Paving would be making the needed repairs.

Council Member Wilkinson asked that it be mentioned at the upcoming meeting with ODOT that the owner of the Collonade does not want construction vehicles using Surry Lane, which is a private street owned by the shopping center.

Council Member Wilkinson asked if tarps on vehicles are legal. Mr. Stone advised that there is nothing in the City Code which regulates these. Mr. Stone told the Council that this issue has been brought up numerous times over the years and that the Council has never felt that such regulations were necessary.

Council Member Wilkinson stated that the City should bill ODOT or the contractor for all of the work done by City crews such as providing signage, moving cones and barricades and cleaning gravel up, over the course of the Britton Road project. The city manager advised that his would be very hard to document as no records were kept of these activities.

Council Member Wilkinson asked about the guard rail replacement on Village Drive. Mr. Stone advised that the City has received payment from OKC of approximately \$1,900 for the damage and that Action Safety Supply has been engaged to do the work. Mr. Stone advised that everyone in the construction business is busy and the company keeps pushing back the date to do the work.



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City Attorney Leslie Batchelor told the Council that she is anxious to get back to planning for TIF Improvements. The city manager advised that a meeting with the Metropolitan Library System is scheduled for September 26th to discuss their concerns about closure of the entrance to the library on Vineyard Boulevard and to discuss their plans for library expansion.

Mayor Cummings reported that the most recent Yoga class was the largest ever.

Mayor Cummings told the Council that ND Foods had a sidewalk sale which drew in quite a few people.

Mayor Cummings reported that the French Quarter Antique Mall is continuing to have problems with the closure of driveways and temporary gravel entrances. Mayor Cummings suggested that members of the Council make an effort to be visible to businesses on Britton Road as they continue to suffer from the construction.

ITEM XIV. NEW BUSINESS.

There was no New Business to come before the Council.

ITEM XV: ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 10:00 p.m.

Mayor Cummings

Vice-Mayor Bennett

Council Member Symes

Council Member Graham

City Clerk

Council Member Wilkinson