



CITY COUNCIL MINUTES  
February 3, 2020

The City Council of the City of The Village, Oklahoma, met in regular session at City Hall on Monday, February 3, 2020, 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 K. Whitener, City Treasurer  
Jeff Sabin, Assistant 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.**

Council Member Graham asked for a moment of silence for the Moore High School Cross Country Track Team, which was involved in a tragic accident.

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 January 17, 2020 or to the Minutes of the regular meeting held on January 21, 2020. There were no corrections, deletions or additions and the Council approved the Minutes of the meetings held on January 17, 2020 and January 21, 2020, as written.

**ITEM IV: CITIZENS DESIRING TO BE HEARD; PRESENTATIONS; PROCLAMATIONS.**

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

*a) Presentation of Plaques to Winners of the 2019 Holiday Lights Contest.*

Mayor Cummings presented plaques to the winners of the 2019 Holiday Lights Contest and thanked everyone for helping to make The Village more festive during the holiday season.

Jim Bonfiglio, Business Operations Manager for Casady School, appeared before the Council. Mr. Bonfiglio told the Council that the school delivery policy has been changed to prevent commercial deliveries from using the school's east entrance on Dublin Road before 7:30



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a.m. Mr. Bonfiglio told the Council that trucks making deliveries before 7:30 a.m. would use the regular school entrance off of Pennsylvania.

Mr. Bonfiglio apologized to the Council for the bright lights used to film movie scenes on campus recently. Mr. Bonfiglio advised that he was unaware that the lights would be used and told the Council that he is sorry that the activity generated complaints from nearby residents.

Mr. Bonfiglio answered a question about the canceled helicopter landing on campus. Mr. Bonfiglio advised that weather conditions led the Oklahoma Highway Patrol to cancel the flight. Mr. Bonfiglio advised that the helicopter would make its visit later in the spring.

Mr. Bonfiglio also introduced preliminary plans to provide new athletic facilities using a fabric tension structure. Mr. Bonfiglio advised that he does not have technical details about the structure at this early stage of evaluation. Mr. Bonfiglio also briefed the Council on the status of the proposed expansion of the primary education building and the possible use of the spa building in the future. The Council discussed potential conflicts with the City's architectural design requirements. Assistant City Attorney Jeff Sabin suggested that it might make sense for the school to be re-zoned as a Planned Unit Development to provide the school with more flexibility in the future. The consensus of the Council was that this would probably make sense and should be considered.

Stan Alexander, a resident of and spokesman for the Statesman's Club, appeared before the Council to continue discussion about the preliminary TIF plan. Mr. Alexander told the Council that citizens living in the vicinity of the proposed improvements (*Statesman's Club, Hawthorn, The Vineyard Cottages and The Villas*) want the proposed park to be a senior park and for Vineyard Boulevard to be left as is.

Linda Schoenhals, 10329 Hawthorn Drive, appeared before the Council and told the Council she agrees with Mr. Alexander. Ms. Schoenhals mentioned the Open Space Agreement granted to the City and stated that it is her understanding that the City would have to have permission from the HOA to make improvements in this easement. A discussion of the language in the easement followed. Assistant City Attorney Jeff Sabin acknowledged that there is likely to be disagreement on the meaning of the easement but stated that it is legal counsel's opinion that the rights listed in the easement are not given to the Grantor exclusively.

Ms. Schoenhals stated that 71% of the residents in Hawthorn do not want a bike path through the Hawthorn greenbelt (*floodway*). Council Member Wilkinson expressed surprise with the opposition to a bike path and asked why. Ms. Schoenhals told the Council that this is "our backyard" and that residents are concerned about security and don't want more people coming into the area.



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Louis Brigham, 2455 Manchester Drive Unit #74, appeared before the Council and presented his idea for Vineyard Boulevard. Mr. Brigham told the Council that a linear park could be created without eliminating lanes of traffic on Vineyard Boulevard by reducing the width of the center median and making lane adjustments to create the additional green space needed for the park. *(Mr. Brigham's proposal is attached to these minutes)* Mr. Brigham also told the Council that 93% of the residents in The Vineyard Cottages do not want noisy events and bands in the proposed public park.

Jane Lowther presented a list of complaints including a fence in disrepair on the east side of Meeker Park and a derelict vehicle at 1929 Lanesboro. Ms. Lowther also told the Council that Police Officer Shari Dixon was recently recognized and honored as a mentor and suggested that this information be posted on the City's Facebook Page. *(Note: This was already posted on The Village Police Department Facebook Page.)* Ms. Lowther further stated that the minutes of the January 6, 2020 City Council meeting are not posted on the City webpage.

Carol Jensen told the Council that the Census Bureau is hiring people to canvass for the decennial census mandated by the U.S. Constitution. Ms. Jensen stated that the positions pay \$17 an hour and canvassers are reimbursed for travel expenses at 55.7 cents a mile.

**ITEM V:            CONSIDERATION OF RESOLUTION 02-03-2020 (A) REJECTING THE BID FROM AFFINITY CORP AND AUTHORIZING THE CITY MANAGER TO RE-ADVERTISE FOR BIDS FOR THE ANIMAL SHELTER IMPROVEMENT PROJECT.**

City Manager Bruce Stone advised that the City received one bid for Animal Shelter Improvements and that the bid was more than double the estimate for this project at \$117,400. Mr. Stone advised that the Oklahoma Competitive Bidding Act, case law and Attorney General opinions make it necessary for the Council to formally reject the bid and to re-advertise the project for competitive bid.

After a brief discussion, Council Member Graham moved to adopt Resolution 02-03-2020 (A) rejecting the bid from Affinity Corp and authorizing the city manager to re-advertise bids for the Animal Shelter Improvement Project. Vice-Mayor Bennett seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none.

**ITEM VI:            REPORTS:**

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

- *General Fund, 01/22/2020:* \$28,011.74
- *Capital Improvement Fund, 01/22/2020:* \$128,256.00



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### **b) Manager's Report:**

City Manager Bruce Stone reported that the chili cook-off at City Hall was a big success and that all of the entries were excellent.

Mr. Stone showed the Council pictures of construction vehicle tracks in Harrison Park caused by workers driving through the park after a 2" rain. Mr. Stone showed the Council pictures of a section of sewer line that was damaged by the same work crew and which had to be replaced by the Sewer Department.

The city manager briefed the Council on recent communications with County Commissioner Calvey regarding assistance on the Britton Road project. Mr. Stone advised that Commissioner Calvey wants to help but says the District Attorney's office is blocking the assistance saying it is illegal. Mr. Stone told the Council that the Commissioner is considering seeking a Declaratory Judgement from District Court on this matter and others.

Mr. Stone reported that the corrected Audit Report is included in his report and that the City's Financial Advisor was able to include the corrected audit in this year's Continuing Disclosure report to the Securities and Exchange Commission.

The city manager showed the Council the most recent Field Report submitted by LAUD Studio reporting on park improvements. Mr. Stone told the Council that the new pavilion has been delivered to Duffner Park.

Mr. Stone asked if any member of the Council would like to attend the Healthy Workplace Breakfast sponsored by the City County Health Department and TSET. Mr. Stone told the Council that the breakfast is free and would be on Wednesday, February 26 at the Tower Theatre.

The Council reviewed and discussed a quote from BestBuy to upgrade the City Council Chamber Audio Visual System using big screen TVs instead of a more expensive projector. After a brief discussion, the consensus of the Council was to look into this option further.

### **c) Reports from the Council:**

Council Member Symes asked about the claim submitted to the bonding company for the unacceptable work on Lakeside Drive. Assistant City Attorney Jeff Sabin advised



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that the bonding company has not been cooperative up to this point and that additional actions might be necessary to get their attention.

Council Member Graham stated that there is an RV parked on the street at Carlton Way and Penn, which is causing a sight-triangle restriction. The city manager advised that Code Enforcement would look into this and take appropriate action.

Vice-Mayor Bennett told the Council that he would try to get the name of the resident living at 1504 Andover so the Council could properly recognize the efforts in decorating their home this past holiday season. *(Note: The actual address was determined to be 1502 Andover)*

Vice-Mayor Bennett told the Council that KFOR TV is recognizing First Responders and suggested that the Fire Chief and Police Chief submit names of deserving firefighters and patrol officers for recognition.

Council Member Wilkinson reported the radar speed sign on Carlton Way is out of calibration. The city manager advised that this unit recently had a new motherboard installed and that the Police Department is aware of the problem and is working to get it resolved.

Council Member Wilkinson stated the he appreciates the input from citizens like Linda Schoenhals, Stan Alexander and Louis Brigham regarding the preliminary plan for the TIF project area. Council Member Wilkinson said that he didn't want to ruin people's lives but hoped that they would recognize the compromises already made and stated in the minutes of the special meeting held on January 17, 2020.

Council Member Symes thanked Mayor Cummings for working with the citizens to try and find common ground. Mayor Cummings stated that "we will get there". Council Member Wilkinson stated that we certainly don't want the citizens to feel unsafe in their homes but that eventually the Council will need to make a decision.

Mayor Cummings asked about the status of the branding proposals. Council Member Wilkinson advised that he would attempt to get the interviews scheduled in the next week or so.

Mayor Cummings asked if medical cannabis sales are subject to sales tax. The city manager advised that the Oklahoma Tax Commission says the sales are taxable. Mr. Stone noted the confidential sales tax reports provided to the Council, which show the sales taxes collected from local dispensaries.



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Mayor Cummings reported that the streetlight is out at the intersection of May and Lakeside Drive. Mr. Stone stated that it would be reported to OG&E, if not already done so.

The Mayor reported that she had a call from a resident on Orlando about sewer gas in the house. Mr. Stone explained that this could indicate a problem with a vent or pee trap in the home and advised that he would have the Sewer Department check to see if the gas smell is the result of a problem on the City main.

Mayor Cummings brought up the amount of traffic fines in The Village and wondered if they might be too high. The city manager explained that the City Code and, in some cases, State Law set the maximum fines. Mr. Stone advised that the Judge sets the fine schedule within those parameters. Mr. Stone further advised that the Judge has a time pay policy that allows anyone to pay \$50 a month until the fine is paid.

Assistant City Attorney Jeff Sabin advised that he has been working on Britton Road annexation and that he hoped to be able to have the required public hearing on March 2<sup>nd</sup>.

**ITEM VII:**      **NEW BUSINESS.**

There was no New Business to come before the Council.

**ITEM VIII:**      **ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 9:33 p.m.

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Mayor Cummings

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Vice-Mayor Bennett

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Council Member Symes

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Council Member Graham

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City Clerk

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Council Member Wilkinson