



CITY COUNCIL MINUTES
May 4, 2020

The City Council of the City of The Village, Oklahoma, met in Special Session at City Hall on Monday, May 4, 2020, at 7:30 p.m., via teleconference.

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
Jeff Sabin, Assistant City Attorney

ITEM I: CALL TO ORDER.

Mayor Cummings called the meeting to order at 7:30 p.m.

ITEM II: APPROVAL OF MINUTES OF MEETINGS HELD ON APRIL 20, 2020.

The Mayor asked if there were any corrections, additions or deletions to the Minutes of the Special Meeting held on April 20, 2020. There were no corrections, additions, or deletions to the Minutes of either meeting. Vice-Council Member Bennett moved to approve the minutes as written. Council Member Symes seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none.

ITEM III: ADMINISTRATION OF THE OATH OF OFFICE FOR COUNCIL MEMBERS SYMES AND CUMMINGS.

City Manager Bruce Stone administered the Oath of Office for Council Member Symes and Mayor Cummings.

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

Mayor Cummings announced that this is the time for citizens to address the Council on any matter not listed on the agenda.

Jane Lowther attended the meeting via teleconference. Ms. Lowther:

- *Reminded the Council that residents of Casady Manor want to have input on the park improvements slated for Meeker Park.*
- *Stated that there are bore holes on Manchester Drive that should be filled. Mr. Stone advised that the holes have already been filled.*



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- *Told the Council that the new Merry-Go-Round in Bumpass Park seems hard to spin and an adjustment seems necessary.*
- *Reported that there is standing water in the channel near Lanesboro. The city manager advised that Public Works took care of this earlier in the day. Mr. Stone advised that this channel would continue to be a maintenance problem due to the velocity of water that runs through the narrow portion of the channel. Mr. Stone told the Council that the walls of the channel need to be extended to prevent erosion and standing water problems.*
- *Stated that she did not see any garage sale signs for the City-Wide Garage Sale this past weekend. Mayor Cummings advised that many people were hesitant to have a sale due to the pandemic and that the City would schedule a “make-up” City-Wide sale later in the year.*

ITEM V: CONSIDERATION OF RESOLUTION 05-04-2020 (A) AUTHORIZING THE ISSUANCE OF A BUILDING PERMIT FOR HTeaO, 10805 NORTH MAY AVENUE.

City Manager Bruce Stone reviewed the relevant zoning and development issues for a proposed establishment at 10805 North May. Mr. Stone told the Council that a Texas franchise that sells flavored water and teas would build a new facility on the former Manhattan Cleaner’s property.

The city manager reviewed the various area requirements and showed the Council the site plan, landscape plan and the elevations of the building. Mr. Stone noted that the development complies with all zoning requirements for the C-2 Commercial Zoning District. Mr. Stone advised that the preliminary plan submitted had several deficiencies related to landscaping and architectural design, all of which, have been corrected by the project Architect, Patrick Bumpas.

Patrick Bumpas, Layne Jones and Daryl Switzer were present to answer questions and explain some of the details of the building and the business.

Council Member Symes stated that he is impressed with the design of the facility and asked questions about the color of exterior materials. Patrick Bumpas advised that the color scheme of the exterior combines white with earth tones.

Mayor Cummings asked if this particular building would look similar to those located in other cities. Patrick Bumpas advised that he worked hard to meet the City’s landscape standards and that this building is tailored to fit the specific requirements established by the City of The Village.



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The Mayor asked when the store would open. Mr. Bumpas advised that the store would be open in September or October.

City Manager Bruce Stone advised the Planning & Zoning Commission recommends that the City Council authorize the issuance of a building permit for this new business.

After a brief discussion, Council Member Wilkinson moved to approve Resolution 05-04-2020 (A) authorizing the issuance of a building permit for HTeaO. Mayor Cummings seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none.

ITEM VI: CONSIDERATION OF RESOLUTION 05-04-2020 (B) APPROVING THE FINAL PLAT FOR THE OFFICES ON MAY ADDITION TO THE CITY OF THE VILLAGE.

City Manager Bruce Stone reviewed the final plat submitted for the Offices on May Addition to the City of The Village. The city manager advised that the plat has been amended by the developer as requested by staff to show the building limit lines and to provide notation requiring stormwater detention.

Mark Grubbs, P.E., was present to answer questions about the plat. Mr. Grubbs noted that the plat also provides for a common parking agreement.

Vice-Council Member Bennett asked about signage. The city manager reminded the Council that the Planned Unit Development regulations for this subdivision limits the development to one (freestanding) sign on May Avenue.

The city manager advised that the Planning & Zoning Commission recommends that the Council approve the final plat as submitted.

After a brief discussion, Council Member Wilkinson moved to approve Resolution 05-04-2020 (B) approving the final plat for the Offices on May Addition to the City of The Village. Council Member Graham seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none

ITEM VII: CONSIDERATION OF RESOLUTION 05-04-2020 (C) APPROVING A LOT SPLIT FOR 1501 GLADSTONE TERRACE.

City Manager Bruce Stone advised that Fraser Homes LLC , the owner of the property located at 1501 Gladstone Terrace, has made application to split a relatively large lot into three (3) separate residential lots. Mr. Stone told the Council that the lot is approximately 34,848 square feet (.8 acre) and at one time was part of the Roselawn Addition, which has been vacated. Mr. Stone advised that the dwelling on the lot was built in 1926 and was an old farmhouse. *(Possibly Meeker Dairy Farm)*



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Mr. Stone reported that all three lots resulting from the split will exceed the minimum requirements required by City Code.

The city manager told the Council that the detached garage has been remodeled as a standalone residence. Mr. Stone noted that the lot split would allow the garage to be occupied legally as a separate single-family residence. Mr. Stone also stated that a new home could be built on Lot 3.

Mr. Stone told the Council that the lot split would create non-conforming conditions for both existing structures and that this could restrict certain types of improvement to the properties in the future. Mr. Stone advised that if the structures are destroyed by 50% or more of their fair-market value, the buildings can only be repaired or rebuilt if the structures meet all current building and zoning regulations of the City.

Mr. Stone told the Council that they should keep in mind that this is an unusual situation because the structures on the property predate incorporation of the property as part of The Village.

As the Council discussed the proposed lot split, there was some apprehension to acting on the lot split at this time. Council Member Wilkinson suggested that the lot split be held up until the owner of the property sheds light on plans they might have for the lots. Assistant City Attorney Jeff Sabin advised that this would be inappropriate as the application meets all requirements for a lot split and there is no legal basis to defer action on the lot split. Mr. Sabin advised that staff would be responsible for applying current zoning and building codes, if and when, the owner decides to make improvements to the property

City Manager Bruce Stone advised that the Planning & Zoning Commission (reluctantly) recommends that the City Council approve the lot split, as submitted.

Council Member Wilkinson moved to approve Resolution 05-04-2020 (C) approving a lot split for 1501 Gladstone Terrace. Council Member Graham seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none

ITEM VIII: CONSIDERATION OF RESOLUTION 05-04-2020 (D) AUTHORIZING A LEASE PURCHASE AGREEMENT FOR A NEW PATROL VEHICLE.

City Manager Bruce Stone reported that one of the City's police vehicles was totaled in an accident in January. Mr. Stone told the Council that the City's insurance carrier (OMAG) investigated the claim and paid off the remaining amount of the lease for the vehicle. Mr. Stone advised that the Police Department has been short one "front line" vehicle since the accident and that the Department would like to obtain a replacement vehicle as soon as possible.



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Mr. Stone advised the Council that Deputy Chief Landon was fortunate to find an unsold 2019 Dodge Durango Police Pursuit Vehicle at Bob Howard Chrysler Jeep and Dodge. Mr. Stone told the Council that the vehicle is under State Contract and would cost approximately \$34,108.

Mr. Stone advised that Resolution 05-04-2020 (D) authorizes the execution of a lease purchase agreement to acquire the new vehicle.

After a brief discussion, Council Member Symes moved to adopt Resolution 05-04-2020 (D). Mayor Cummings seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none.

ITEM IX: CONSIDERATION OF RESOLUTION 05-04-2020 (E) SETTING THE REVISED DATE FOR THE INDUCTION OF THE COUNCILMAN FOR WARD 5 AND ELECTION OF MAYOR AND VICE MAYOR, DUE TO THE ELECTION EMERGENCY DECLARED BY THE SECRETARY OF THE STATE ELECTION BOARD AND THE RESCHEDULING OF THE CITY ELECTION TO JUNE 30, 2020.

Assistant City Attorney Jeff Sabin explained that the unprecedented postponement of the Ward 5 City Council election raises a couple of questions that are not addressed by either State Law or by the Emergency measures proclaimed by the State Election Board. The two questions are:

1. When the newly elected Ward 5 Council Member would take office; and
2. Whether the terms of the current Mayor and Vice-Mayor should be extended to end at the time established for the newly elected Ward 5 Council Member to take office.

Mr. Sabin stated that the Resolution establishes 7:30 p.m. on July 6, 2020 as the time for the newly elected Ward 5 Council Member to take office, which is the first regular City Council meeting after the postponed election. Mr. Sabin advised that the Resolution also provides for the extension of the terms of the Mayor and Vice-Mayor to the same date and time.

Mr. Sabin stated that if the Council decides against extending the terms of Mayor and Vice-Mayor the Resolution would need to be adopted without Section 2.

After a discussion, a majority of the Council felt that the terms of the Mayor and Vice-Mayor should not be extended and that the election of Mayor and Vice-Mayor be conducted in accordance with the provisions of the City Charter, which provides for this election to take place on the first Monday in May.



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Council Member Graham moved to strike Section 2 from Resolution 05-04-2020 (E) and to approve the Resolution, as amended. Council Member Symes seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none.

ITEM X: CONSIDERATION OF THE ELECTION OF A MAYOR & VICE-MAYOR TO SERVE A ONE YEAR TERM.

After a brief discussion, Council Member Symes moved to elect David Bennett as Mayor and Sonny Wilkinson as Vice-Mayor. Council Member Graham seconded the motion. The vote: Yea – Symes, Graham, Bennett, Cummings and Wilkinson. Nay – none.

(Note: For the purposes of the minutes, titles remain the same until the next meeting)

ITEM XI: REPORTS, CORRESPONDENCE, ETC.

a) ***Review of Expenditures.*** *The Council reviewed the expenditure reports. The city manager noted and explained several items on the expenditure list.*

b) ***Manager's Report.*** *City Manager Bruce Stone reported on the following:*

- i. *A report from the Oklahoma Municipal League that accompanied an invoice for membership renewal. The report highlighted the ways in which the league assists cities through programs and lobbying efforts at the state and national level.*
- ii. *A letter from the Oklahoma Water Resources Board advising that the City is in compliance with National Flood Insurance Program Floodplain Management requirements.*
- iii. *Correspondence from OMAG (and City Prosecutor Matt Love) pertaining to the Supreme Court Administrative Division's emergency orders for Municipal Courts. Mr. Stone reported that Municipal Court would resume on May 21st using CDC protocols.*
- iv. *A summary of Phase II Park Improvements submitted by LAUD Studio.*
- v. *The city manager told the Council that health insurance rates for the City's current Blue Cross & Blue Shield group plan would increase 17% on July 1st. Mr. Stone advised that alternatives are under consideration. Council Member Wilkinson noted that the OML has a new health plan for cities that might be looked into as an alternative.*



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- vi. *Mr. Stone reported that Braum's has finally obtained their building permits to start construction of the new Braum's in Casady Square.*
- vii. *The city manager reported the animal shelter improvement project is set to get underway on May 12th.*

c) Reports from City Council.

Council Member Symes asked if the tennis courts and basketball court are open. Mr. Stone advised that the tennis courts are open but the basketball court in Harrison Park remains closed.

Council Member Graham thanked staff for all the work putting together the Zoom teleconference.

Council Member Bennett asked about the Pig and the Butcher and whether it is the same owner as the previous BBQ restaurant. Council Member Graham stated that he does not know about the ownership but that he ate there and found it to be "homier" than the Smoking Boar and less expensive.

Council Member Bennett asked for clarification on the resumption of Bulk Waste service. The city manager advised that the service would resume on May 18th and that bulk waste for the Tuesday, Wednesday and Thursday sanitation routes would be picked up on that day. Mr. Stone advised that the Friday sanitation route would be picked up on the regular day, which is Monday, May 25th. (Memorial Day) Council Member Bennett asked if Waste Connections had adjusted the City's rate as compensation for the interruption in bulk service. Mr. Stone advised that the company has provided roll-off dumpster service with a full-time attendant in lieu of curbside service.

Council Member Bennett told the Council that ACOG plans to raise membership dues this year.

Council Member Wilkinson thanked staff for doing a great job during the COVID-19 pandemic.

Assistant City Attorney Jeff Sabin told the Council that Lisa Harden is in contact with legal counsel for Crossland Heavy Contractors regarding the City's claim for substandard work on Lakeside Drive.



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Mayor Cummings wished Officer Green a Happy Birthday.

Mayor Cummings told the Council she is planning another blood drive at City Hall and would incorporate lessons learned from the first blood drive held recently.

Mayor Cummings reported that the Oklahoma Supreme Court has ruled that absentee ballots do not have to be notarized.

Mayor Cummings mentioned the nice sign at St. Eugene recognizing teachers.

ITEM XII: NEW BUSINESS.

There was no New Business to come before the Council.

ITEM XIII: ADJOURNMENT

There was no further business and Mayor Cummings adjourned the meeting at 9:55 p.m.

Mayor Bennett

Vice-Mayor Wilkinson

Council Member Graham

Council Member Symes

City Clerk

Council Member Cummings