



CITY COUNCIL MINUTES
July 20, 2020

The City Council of the City of The Village, Oklahoma, met in Special Session on Monday, July 20, 2020, at 7:30 p.m., via Zoom teleconference.

COUNCIL PRESENT

David Bennett, Mayor
Sonny Wilkinson, Vice-Mayor
Adam Graham, Council Member
Bubba Symes, Council Member
Cathy Cummings, 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 Bennett called the meeting to order at 7:30 p.m.

ITEM II: APPROVAL OF MINUTES OF THE CITY COUNCIL MEETING HELD ON JULY 6, 2020.

The Mayor asked if there were any corrections, additions or deletions to the Minutes of the Special Meeting held on July 6, 2020. There were no corrections, additions or deletions and the Minutes of the Special Meeting held on July 6, 2020 were approved as written.

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

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

Jane Lowther encouraged the Council to recognize (at the appropriate time) the donors and volunteers who have made animal shelter improvements possible. Ms. Lowther suggested that a dedication plaque or a bench might be considered as some of the alternatives.

Jane Lowther suggested that in lieu of traditional Trick or Treat during this year of the pandemic that perhaps a caravan of cars might be a good idea. Ms. Lowther said that candy could be handed out from the cars in the caravan.

Jane Lowther commended the fire department for being so nice to her grandson and giving him a tour of the new fire truck.

ITEM IV: CONSIDER AND TAKE ACTION WITH RESPECT TO RESOLUTION 07-20-2020 (A) FIXING THE AMOUNT OF COMBINED PURPOSE BONDS TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR AND DISCLOSURE COUNSEL; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF; AND



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AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

Ben Oglesby, representing Municipal Finance Services of Oklahoma, explained the Resolution. Mr. Oglesby introduced Jered Davidson who represents the City's Bond Counsel.

Mr. Oglesby told the Council that the Resolution authorizes: (1) the sale of \$3,270,000 in General Obligation Bonds on August 17, (2) the City Clerk to give notice of the sale, (3) designates BancFirst as the paying agent/registrar for the bond proceeds, (4) designates Kutack Rock as the City's special disclosure Counsel and (5) approves the Preliminary Official Statement (POS).

City Manager Bruce Stone advised the Council of the costs of issuance, which will be paid from bond proceeds. Mr. Stone advised that the estimated costs would be as follows:

Bond Counsel	\$18,350
Disclosure Counsel	\$10,000
Financial Advisor	\$18,350
Paying Agent Acceptance Fee	\$300
Printing Costs	\$525
Oklahoma Atty. General	\$981
Rating Agency	\$12,000
Total	\$60,506

After a brief discussion, Vice-Mayor Wilkinson moved to approve Resolution 07-20-2020 (A). Council Member Cummings seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM V: CONSIDERATION OF RESOLUTION 07-20-2020 (B) AUTHORIZING THE CITY MANAGER TO SEEK COMPETITIVE BIDS FOR THE VILLAGE 2020 STREET IMPROVEMENT PROJECT.

City Manager Bruce Stone explained The Village 2020 Street Improvement Project. Mr. Stone advised that the base bid, which includes base repair, curb replacement and resurfacing of Westchester from Guilford Lane to Greystone and Wellington Avenue from Brighton to Downing. Mr. Stone stated that this project was supposed to be done in the previous fiscal year but had to be postponed for various reasons. Mr. Stone advised that the bid includes several Add-Alternates, which include:

- *Resurfacing Greystone from the City limits to Westchester;*
- *Resurfacing Brighton between Wellington and Westchester;*
- *Resurfacing Ridgeview Circle;*
- *Resurfacing Northampton from Ridgeview to Greystone;*



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- *Construction of an island on Britton Road (green area) at Britton Plaza;*
- *Replacing storm drain inlets at Downing and Wellington;*

Mr. Stone told the Council that bids would be opened on August 12th and that he hoped to have a contract on the August 17th agenda for consideration by the Council.

Council Member Symes asked what the budget is for the project. Mr. Stone advised that the Council approved \$190,000 for the base bid.

Council Member Cummings stated that residents on Westchester have waited a long time for this project and that she hoped that they would be happy.

After a brief discussion, Council Member Graham moved to approve Resolution 07-20-2020 (B) authorizing the solicitation of competitive bids for The Village 2020 Street Improvement Project. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM VI: CONSIDERATION OF RESOLUTION 07-20-2020 (C) ENGAGING HBC CPAs TO PERFORM THE AUDIT OF THE CITY'S FINANCIAL STATEMENTS FOR THE PERIOD ENDING JUNE 30, 2020.

City Manager Bruce Stone advised that HBC CPAs has proposed to do the annual audit for a cost not-to-exceed \$12,950 and that the audit would be completed no later than December 31, 2020. Mr. Stone advised that the company charges an additional \$695 to prepare and file the Annual Survey of City and Town Finances (form SA&I 2643).

After a brief discussion, Council Member Graham moved to approve Resolution 07-20-2020 (C) engaging HBC CPAs to perform that annual audit of the City's Financial Statements. Council Member Cummings seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM VI: CONSIDERATION OF RESOLUTION 07-20-2020 (D) DESIGNATING ACOG REPRESENTATIVES FOR THE CITY OF THE VILLAGE.

City Manager Bruce Stone advised that ACOG is requesting that the City Council designate the voting delegate and alternates for the various ACOG Boards and Committees. The City Manager advised that it is possible to have different voting delegates and alternates for each Board or Committee.

After a brief discussion, Vice-Mayor Wilkinson moved to approve Resolution 07-20-2020 (D) designating Mayor Bennett as the City's voting delegate and Council Member Cummings and Council Member Graham as alternates for the various ACOG Boards and Committees. Council



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

ITEM VII: CONSIDERATION OF ORDINANCE 753 OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 8, DIVISION 2, SECTION 8-55 (e) OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO THE MANDATORY WEARING OF FACEMASK IN CERTAIN LOCATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

City Manager Bruce Stone told the Council that the question of requiring face coverings came up during the middle of last week and that members of the Council requested an action item be included in the agenda for this meeting. Mr. Stone explained that his thoughts were to keep the ordinance simple by amending the City's Emergency powers to specially authorize requiring facemasks in certain places and emergency situations. Mr. Stone advised that he felt that the specific details and requirements should be specified by the proclamation as situations and circumstances warrant. Mr. Stone stated that the Council might wish to consider a penalty clause for the violation of this new subsection which would be similar to what other cities have been doing.

Council Member Symes suggested that the language in the new subsection be changed from "facemasks" to "face coverings" because some people cannot wear a tight-fitting mask for medical and other reasons.

Mayor Bennett asked if any citizens would like to comment on the proposed Ordinance.

Johnathan White told the Council that he is favor of requiring face coverings as he felt it was an important step to avoid another business shutdown.

Zach Nash stated that he realizes that the pandemic in general and the use of masks have been politicized but told the Council that government should take reasonable steps to protect the public. Mr. Nash urged the Council to vote to require face coverings.

Jon Cunningham urged the Council to vote in favor of the Ordinance. Mr. Cunningham told the Council that he is the director of a non-profit for kids. Mr. Cunningham stated that he was in favor of getting kids back in school and wearing masks.

Council Member Symes stated that he was in favor of requiring masks and that he felt that the rules should be kept simple and as uniform as possible. Council Member Symes said he did not support the imposition of fines.



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Assistant City Attorney Jeff Sabin asked if Council Member Symes thought the provisions of an Emergency Proclamation should be consistent with the requirements promulgated by Oklahoma City. Council Member Symes stated “yes” but without a penalty clause.

Council Member Graham read a prepared statement in support of requiring face coverings. Council Member Graham told the Council that he would vote in favor of the Ordinance to protect his constituents. Council Member Graham also stated that he felt the requirements should be consistent with the regulations established by Oklahoma City.

Council Member Cummings told the Council that she had received a lot of input from residents. Council Member Cummings advised that twenty-nine (29) people were in favor of requiring masks and only one (1) was against. Council Member Cummings stated that Rabbi Goldman counseled her by saying “to save one live is to save a universe”. Council Member Cummings stated that she supports the mandate of face coverings and also believed the regulations should be consistent with Oklahoma City’s requirement. Council Member Cummings stated that she felt that this is extremely important in order to avoid another shutdown of our businesses.

Vice-Mayor Wilkinson stated that he absolutely supports the face covering Ordinance. The Vice-Mayor stated that face coverings are simple and effective, and that the Council should listen to the experts and adopt this ordinance to protect our citizens and business. Vice-Mayor Wilkinson stated that he also was in favor mirroring Oklahoma City’s requirements and further stated that the face covering mandate should expire after the Labor Day weekend.

Mayor Bennett stated that the City has followed Oklahoma City’s lead throughout this pandemic and is in favor of continuing in that regard.

City Manager Bruce Stone asked about a penalty for failure to abide by a face covering mandate. Assistant City Attorney advised that the last paragraph of Section 8-55 would be amended to state that an Emergency Proclamation can provide for penalties for violation of the emergency declaration as deemed appropriate.

Council Member Cummings asked when the Proclamation would become effective. The city manager advised that the new regulations would be in effect as soon as legal counsel drafts the Proclamation and it is signed by the Mayor. Assistant City Attorney Jeff Sabin stated that this would be done in perhaps a day or two.

Vice-Mayor Wilkinson moved to adopt Ordinance 753, with the stated amendments pertaining to face coverings and penalties. Council Member Cummings seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.



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

ITEM VIII: REPORTS, CORRESPONDENCE, ETC.

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

b) *Manager's Report.*

- *City Manager Bruce Stone reported that the monthly sales tax check was for \$554,277.95, which is an increase of 15.53% over the same period last year. Mr. Stone reported that Use tax was \$147,396.58, which is also an increase of \$70,299 over the previous year. The city manager reported that this is the largest sales tax check ever received and that it was unexpected given the pandemic and economic slowdown.*
- *The city manager gave the Council a brief report on the recent abatement of two poorly maintained homes in The Village.*
- *Mr. Stone reported on a cell tower application and a rezoning application both of which are nearby in Oklahoma City. Mr. Stone told the Council that neither of the applications appear to be detrimental to The Village.*
- *The city manager reported that the Police Department has located at 2020 Police vehicle that they would acquire through lease purchase. Mr. Stone advised that three vehicles were approved by the Council in the FY 2020-21 Budget.*
- *Mr. Stone briefed the Council on the official election results received from the County Election Board. Mr. Stone advised that the official tally was Wilkinson 1,758 votes, Struthers 631 votes.*
- *The city manager reported that progress is being made at the animal shelter and that he would have some pictures to share at the next meeting.*
- *Mr. Stone reported that a local church is considering giving all of our commissioned police officers a gift certificate for lunch at a local restaurant. Mr. Stone told the Council that accepting gifts is discouraged by the City's ethics policy. After a brief discussion, there were no objections from the Council given the negligible value of the gift.*



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- c) **Monthly Department Reports.** *The Council reviewed the monthly department reports.*
- d) **Reports from City Council.**
- *Council Member Symes stated that the new Braum's is finally taking shape.*
 - *Council Member Symes asked about the status of claim settlement discussions with Crossland Heavy Contractors. Assistant City Attorney Jeff Sabin advised that Lisa Harden is waiting for a settlement proposal from Crossland's legal counsel.*
 - *Council Member Symes commended his colleagues on the City Council for being the most active and involved elected representatives he has seen in his 17 years on the Council.*
 - *Council Member Cummings thanked everyone for their hard work and encouraged all to continue to be safe.*
 - *Council Member Graham mentioned how messy the old Auto Club of America building is.*
 - *Vice-Mayor Wilkinson echoed Council Member Cumming's remarks and urged the Council to begin refocusing on the TIF #1 improvements.*

ITEM IX: NEW BUSINESS.

There was no New Business to come before the Council.

ITEM X: ADJOURNMENT

There was no further business and Mayor Bennett adjourned the meeting at 9:22 p.m.

Mayor Bennett

Vice-Mayor Wilkinson

Council Member Graham

Council Member Symes

City Clerk

Council Member Cummings