



CITY COUNCIL MINUTES
August 3, 2020

The City Council of the City of The Village, Oklahoma, met in Special Session on Monday, August 3, 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 20, 2020.

The Mayor asked if there were any corrections, additions or deletions to the Minutes of the Special Meeting held on July 20, 2020. Council Member Cummings moved to approve the minutes as written. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

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 thanked Public Works for cleaning up broken glass in the street on Lanesboro.

Ms. Lowther stated that Classic Silks has a problem with people using their dumpster and asked if the City could monitor it. The city manager advised that, although the police catch people dumping illegally from time to time, the best way to stop this is for the business to put locks on their dumpster.

Jason Wiggins, The Village Library Manager, told the Council that the library went back to curb side service only on July 16th. Council Member Cummings asked if children could use library computers by appointment. Mr. Wiggins advised that the library has a limited number of Chromebooks to loan.



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ITEM IV. CONSIDERATION OF PUBLIC HEARING TO PROVIDE AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON THE PROPOSED REZONING OF AN UNPLATTED PART OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, BLOCK 000, LOT 000, PART OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 3 WEST GOVERNMENT LOT 4, BEGINNING AT THE S.W. CORNER, NORTH 200 FEET, EAST 200 FEET, SOUTH 200 FEET AND WEST 200 FEET TO THE POINT OF BEGINNING, ALSO KNOWN AS 9400 NORTH MAY AVENUE, FROM C-2 COMMERCIAL TO C-2 COMMERCIAL VILLAGE CORNER PLANNED UNIT DEVELOPMENT.

The Mayor stated that this is a public hearing to provide an opportunity for the public to comment on the proposed rezoning of 9400 North May Avenue from C-2 Commercial to C-2 Commercial Village Corner Planned Unit Development.

City Manager Bruce Stone reviewed the main provisions of the proposed Planned Unit Development. Mr. Stone stated that because of site visibility desired by the prospective anchor tenant, the applicant is asking that a landscape plan with fewer trees than required by Chapter 26 of The Village City Code be permitted. Mr. Stone advised that the amended PUD Design Documents indicate an extensive landscaping plan, which provides 72 points and includes nine (9) large trees and three (3) small trees. Mr. Stone noted that Chapter 26 requires 30 points and 27 trees.

Mr. Stone advised that the only Planning Commission recommendation was to amend the PUD Design Document to require sidewalks on May Avenue as provided in Chapter 25, Section 25-20 of The Village City Code.

Mr. Eric Groves appeared before the Council. Mr. Groves introduced David High, legal counsel for the prospective tenant. Mr. Groves confirmed that his client believes that visibility is imperative and encouraged the Council to approve the landscaping plan the applicant has provided. Mr. Groves advised that sidewalks would be built on May Avenue, if required, but stated that the sidewalk does not seem to serve any purpose as there are no connecting sidewalks to the north. Vice-Mayor Wilkinson stated that the City has a long-range plan for sidewalk improvements and that it is important to require new developments and redevelopments to provide sidewalks so that this cost does not have to be borne by the taxpayer. Mr. Groves asked that the addition of sidewalks be handled administratively instead of through an amendment to the PUD Design Document. The Council agreed.

Council Member Symes stated that the plan looks well-designed. Council Member Symes asked about the underground storage tanks. Mr. High advised that they have all been removed and the site is in compliance with applicable environmental regulations.



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Council Member Cummings stated that the plan looks “wonderful”. Council Member Cummings asked on which street the building would face, May or Britton. Mr. High advised that the store would front on May Avenue.

Vice-Mayor Wilkinson thanked Mr. Groves and Mr. High for their work on this project and stated that this will be a huge improvement for The Village.

The Council briefly discussed signage and the old signs located on the site. Mr. Stone advised that Chapter 20 of The Village City Code requires the old (abandoned) signs and poles to be removed.

Mayor Bennett asked if there were any further questions or comments by the Council or from the public. Hearing none, the Mayor closed the public hearing.

ITEM V. CONSIDERATION OF RESOLUTION 08-03-2020 (A) PERTAINING TO AN APPLICATION TO REZONE 9400 NORTH MAY AVENUE FROM C-2 COMMERCIAL TO 2 COMMERCIAL VILLAGE CORNER PLANNED UNIT DEVELOPMENT.

After a brief discussion, Council Member Cummings moved to adopt Resolution 08-03-2020 (A) approving the application to rezone 9400 North May Avenue from C-2 Commercial to C-2 Commercial Village Corner Planned Unit Development with an amendment requiring sidewalks on May Avenue with the details to be handled administratively. Council Member Graham seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM VI. CONSIDERATION OF PUBLIC HEARING TO PROVIDE AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON THE PROPOSED REZONING OF A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTEEN (13) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, THE VILLAGE, OKLAHOMA COUNTY, OKLAHOMA. CONTAINING 73.8752 ACRES, MORE OR LESS, ALSO KNOWN AS THE CASADY SCHOOL CAMPUS, FROM A-1 SINGLE FAMILY TO A-1 SINGLE FAMILY CASADY SCHOOL PLANNED UNIT DEVELOPMENT.

The Mayor stated that this is a public hearing to provide an opportunity for the public to comment on the proposed rezoning of Casady School Campus from A-1 Single Family to A-1 Single Family Casady School Planned Unit Development.

City Manager Bruce Stone reviewed the major changes proposed by the Planned Unit Development. Mr. Stone advised that the school is a unique use for the residentially zoned subject property and, because of this, the A-1 zoning regulations greatly limit the ability of Casady School to continue to expand their campus, without frequent requests to the City Council for



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amendments to or exceptions from the applicable development regulations for the campus. Mr. Stone told the Council that the proposed PUD:

- *Provides more flexible use of the property consistent with uses that are common for large school campuses.*
- *Authorizes and extends school uses to the commercial lot at Nichols & Britton (1801 West Britton).*
- *Maintains City Council oversight over building design but provides flexibility by authorizing City Council-approved deviations from the design standards.*
- *Increases maximum building height from 35' to 50'.*
- *Provides for more stringent setback requirements for buildings abutting residential property.*
- *Provides for less restrictive landscape requirements that are more reasonable, practical and appropriate for a large campus environment.*

Mr. Stone advised that the minimum setback from the eastern boundary of the campus would be increased from 7.5' to 25' but that for every five (5) feet of building height over 35', the setback would increase by 10' up to a maximum of 55'.

The city manager advised that the Planning Commission recommends that the maximum height for Lot 2 be set at 35' and that school entrances on Britton, Nichols and Dublin Road be closed to commercial truck deliveries before 7:00 a.m.

Ms. Melodie Moore, 9421 Nichols Road, told the Council that she has several concerns and questions. Ms. Moore explained that school traffic on Nichols Road and the private campus road west of her home have been a problem, especially the buses and commercial trucks. Ms. Moore advised that commercial truck deliveries before 7:00 a.m. have been especially disturbing. Ms. Moore also asked about the height and setback of the temporary building and what the setback would be from her house after the temporary building is removed. Mr. Jim Bonfiglio, Business Operations Manager for Casady School, advised that the temporary building is not as high as the spa building and that the temporary classroom building is approximately 18' feet from the property.

Council Member Graham asked Mr. Bonfiglio about the school's plans for expansion and improvement. Mr. Bonfiglio advised that the pandemic has resulted in some changes but that the number one priority at this time is to get the students out of the temporary classrooms and



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into an enlarged primary education building. Mr. Bonfiglio advised that the next major project is likely to be improvements to the secondary education building, which is located in the middle of the campus.

The Council briefly discussed the stated concerns related to commercial truck traffic and the maximum building height and setbacks for Lot 2.

Mayor Bennett asked if there were any further questions or comments by the Council or from the public. Hearing none, the Mayor closed the public hearing.

ITEM VII. CONSIDERATION OF RESOLUTION 08-03-2020 (B) PERTAINING TO AN APPLICATION TO REZONE CASADY SCHOOL CAMPUS FROM A-1 SINGLE FAMILY TO A-1 SINGLE FAMILY CASADY SCHOOL PLANNED UNIT DEVELOPMENT.

After a brief discussion, Vice-Mayor Wilkinson moved to adopt Resolution 08-03-2020 (B) approving the application to rezone Casady School Campus from A-1 Single Family to A-1 Single Family Casady School Planned Unit Development, with the following amendments:

- 1. The maximum height on Lot 2 of the Casady School Addition, is 35'.*
- 2. The setback from the north boundary of Lot 2 of the Casady School Addition is 25'.*
- 3. Commercial truck deliveries shall not be permitted before 7:00 am, except through the main campus entrance on Pennsylvania Avenue.*

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

ITEM VIII. CONSIDERATION OF RESOLUTION 08-03-2020 (C) APPROVING THE FINAL PLAT FOR THE CASADY SCHOOL ADDITION TO THE CITY OF THE VILLAGE, OKLAHOMA.

City Manager Bruce Stone explained the important aspects of the final plat. Mr. Stone told the Council that part of the school campus was platted as the Shaffer Estates Addition to Oklahoma County in 1939 and that the rest of the property has never been platted.

Mr. Stone also noted that the west half of Nichols Road, which is adjacent to 1801 West Britton Road was never formally dedicated to the City as a public street. Mr. Stone advised that the final plat of the Casady School Addition corrects this oversight.

After a brief discussion Council Member Graham moved to adopt Resolution 08-03-2020 (C) approving the final plat of the Casady School Addition to the City of The Village. Council



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

ITEM IX. CONSIDERATION OF RESOLUTION 08-03-2020 (D) MAKING AN APPOINTMENT TO THE BOARDS OF ADJUSTMENT.

Council Member Graham told the Council that he talked to Bruce McDermott about filling the remaining vacancy on the Board of Adjustment and that he agreed to serve, if appointed.

After a brief discussion, Council Member Graham moved to adopt Resolution 08-03-2020 (D) appointing Bruce McDermott to a two-year term on the Board of Adjustment. Vice-Mayor Wilkinson seconded the motion. The vote: Yea – Cummings, Symes, Graham, Wilkinson and Bennett. Nay – none.

ITEM X: REPORTS, CORRESPONDENCE, ETC.

- a) ***Review of Expenditures.*** *The Council reviewed the expenditure reports.*
- b) ***Manager's Report.***

City Manager Bruce Stone reported that he and Ben Oglesby were interviewed by Standard & Poor's for the company's review of the City's bond rating. Mr. Stone reported that Standard & Poor's has affirmed the City's AA rating as stable.

Mr. Stone showed the Council pictures of construction of the animal shelter. Mr. Stone advised that the Village Animal League is proposing a color scheme for the shelter.

The city manager reported that the Parks Department is using the new food trailer to sell prepacked foods and snacks at the splash pad. City Treasurer Beverly Whitener told the Council that this is an experiment to see if there will be adequate sales to justify doing this on a regular basis. The city manager noted that proceeds would be deposited in the Special Park Fund.

Mr. Stone reported that grass has gotten out of control in certain parts of the City due to recent rains. Mr. Stone advised that Code Enforcement is getting quite a lot of calls and that field personnel are working the violations as quickly as possible.

- c) ***Reports from City Council.***

Council Member Symes asked if any progress had been made on the Performance Bond settlement talks with Crossland Heavy Contractors. Assistant City Attorney



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Jeff Sabin advised that Lisa Harden is on vacation this week and that he does not have any new information to share at this time.

Council Member Cummings asked about the free City-Wide Garage Sale. Mr. Stone advised that the next City-Wide Garage Sale is the first full weekend of October.

Council Member Cummings told the Council that she has been working with the Oklahoma Blood Institute to have a blood drive at City Hall on August 21. Council Member Cummings advised that this would be held in the City Hall parking lot from 9:00 a.m. to 3:00 p.m.

Council Member Cummings told the Council about an unfortunate incident in which a minority resident of The Village was the target of an anonymous racist act of intimidation. The city manager advised that the victim should report this to the Police and that this could be considered a hate crime under state and/or federal law. All members of the Council expressed their disgust with this kind of intolerant behavior.

The Council discussed the continuation of Zoom teleconferences due to the recent spike in cases of COVID 19. Mayor Bennett stated that he would prefer to go back to regular meetings, provided that social distancing and other safeguards are employed to prevent the spread of the disease. Mayor Bennett stated that he felt that teleconferences do not provide citizens with an acceptable level of service and hinder the Council's effectiveness. After a discussion, the consensus of the Council was to continue with Zoom teleconferences for at least one more meeting.

Mayor Bennett said he is happy to see the significant progress being made on the construction of the new Braum's in Casady Square.

Mayor Bennett advised that he had talked to the Pastor of Grace Bible Church to let him know that the Council was in agreement that it would be acceptable for his congregation to provide gift certificates to our commissioned police officers to show their support and appreciation for their dedicated service.

ITEM XI: NEW BUSINESS.

There was no New Business to come before the Council.



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ITEM XII: ADJOURNMENT

There was no further business and Mayor Bennett adjourned the meeting at 9:38 p.m.

Mayor Bennett

Vice-Mayor Wilkinson

Council Member Graham

Council Member Symes

City Clerk

Council Member Cummings